

THIRTY-FIRST DAY

St. Paul, Minnesota, Thursday, March 19, 2015

The Senate met at 11:00 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, Rev. Don Talafous.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communication was received.

March 18, 2015

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

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2015 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Time and Date Approved 2015 | Date Filed 2015 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| | 8 | 4 | 1:57 p.m. March 17 | March 17 |

Sincerely,
Steve Simon
Secretary of State

REPORTS OF COMMITTEES

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

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

S.F. No. 951: A bill for an act relating to higher education; granting resident status for purposes of higher education grants and scholarships to members of the state's National Guard who reside in the state; amending Minnesota Statutes 2014, section 136A.101, subdivision 8.

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

Page 2, line 8, delete everything after "who" and insert "resides in Minnesota or an active member of the reserve component of the United States armed forces whose duty station is located in Minnesota and who resides in Minnesota."

Amend the title as follows:

Page 1, line 3, delete everything after "to" and insert "certain active members of the military who reside in the state;"

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

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

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

S.F. No. 1194: A bill for an act relating to higher education; regulating the state grant program; amending Minnesota Statutes 2014, section 136A.101, subdivision 5a.

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

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

S.F. No. 1273: A bill for an act relating to higher education; establishing an alternative teacher preparation grant program; appropriating money.

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

Page 2, line 3, delete "The appropriation" and insert "Grants"

Page 2, delete lines 10 and 11 and insert "report from a grantee at the end of the biennium on the outcome achieved with the grant."

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

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

S.F. No. 1300: A bill for an act relating to higher education; data practices; requiring changes to campus policies on sexual harassment and sexual violence; encouraging good faith reporting of sexual harassment and sexual violence; requiring coordination between postsecondary institutions and law enforcement; requiring postsecondary institutions to create an online reporting system; restricting access to data; requiring training of campus security officers and administrators; requiring institutions provide student health services for victims of sexual assault; amending Minnesota Statutes 2014, section 135A.15, subdivisions 1, 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 626.

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 2014, section 13.322, is amended by adding a subdivision to read:

Subd. 6. **Campus sexual assault data.** Data relating to allegations of sexual assault at a postsecondary institution are classified in section 135A.15.

Sec. 2. Minnesota Statutes 2014, section 135A.15, subdivision 1, is amended to read:

Subdivision 1. **Policy required.** The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under the crime victims bill of rights, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety. The policy must apply to students and employees and must provide information about their rights and duties. The policy must apply to criminal incidents against a student or employee of a postsecondary institution occurring on property owned or leased by the postsecondary system or institution in which the victim is a student or employee of that system or institution or at any activity, program, organization, or event sponsored by the system or institution, including fraternities and sororities. It must include procedures for reporting incidents of sexual harassment or sexual violence and for disciplinary actions against violators. During student registration, each technical college, community college, or state university shall, and the University of Minnesota is requested to, provide each student with information regarding its policy. A copy

of the policy also shall be posted at appropriate locations on campus at all times. ~~Each private postsecondary institution that is an eligible institution as defined in section 136A.155, must adopt a policy that meets the requirements of this section.~~

Sec. 3. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 1a. **Applicability to private institutions.** Each private postsecondary institution that is an eligible institution as defined in section 136A.103 must comply with all of the requirements imposed in this section.

Sec. 4. Minnesota Statutes 2014, section 135A.15, subdivision 2, is amended to read:

Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at a minimum, require that students and employees be informed of the policy, and shall include provisions for:

- (1) filing criminal charges with local law enforcement officials in sexual assault cases;
- (2) the prompt assistance of campus authorities, at the request of the victim, in notifying the appropriate law enforcement officials and disciplinary authorities of a sexual assault incident;
- (3) allowing sexual assault victims to decide whether to refer a case to law enforcement;
- (4) requiring campus authorities to offer sexual assault victims fair and respectful health care, counseling services, or referrals to such services;
- (5) preventing campus authorities from suggesting a victim of sexual assault is at fault for the crimes or violations that occurred;
- (6) preventing campus authorities from suggesting that a victim of sexual assault should have acted in a different manner to avoid such a crime;
- (7) protecting the privacy of sexual assault victims by, unless otherwise required by law, only disclosing data collected under this section to the victim, persons whose work assignments reasonably require access, and, at a sexual assault victim's request, police conducting a criminal investigation;
- ~~(3)~~ (8) an investigation and resolution of a sexual assault complaint by campus disciplinary authorities;
- ~~(4)~~ (9) a sexual assault victim's participation in and the presence of the victim's attorney or other support person at any meeting with campus officials concerning a sexual assault complaint or campus disciplinary proceeding concerning a sexual assault complaint;
- (10) ensuring that a sexual assault victim is not required to repeat unnecessarily a description of the incident of sexual assault;
- (11) notice to a sexual assault victim of the availability of a campus or local program providing sexual assault advocacy services;
- ~~(5)~~ (12) notice to a sexual assault victim of the outcome of any campus disciplinary proceeding concerning a sexual assault complaint, consistent with laws relating to data practices;
- ~~(6)~~ (13) the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual assault incident;

~~(7)~~ (14) the assistance of campus authorities in preserving for a sexual assault complainant or victim materials relevant to a campus disciplinary proceeding; ~~and~~

~~(8)~~ (15) during and after the process of investigating a complaint and conducting a campus disciplinary procedure, the assistance of campus personnel, in cooperation with the appropriate law enforcement authorities, at a sexual assault victim's request, in shielding the victim from unwanted contact with the alleged assailant, including transfer of the victim to alternative classes or to alternative college-owned housing, if alternative classes or housing are available and feasible;

~~(16)~~ forbidding retaliation, and establishing a process for investigating complaints of retaliation, against sexual assault victims by campus authorities, the accused, organizations affiliated with the accused, other students, and other employees;

~~(17)~~ at the request of the victim, providing students who reported sexual assaults to the institution and subsequently choose to transfer to another postsecondary institution with information about resources for victims of sexual assault at the institution to which the victim is transferring; and

~~(18)~~ consistent with laws governing access to student records, providing a student who reported an incident of sexual assault with access to the student's description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.

~~(b)~~ For the purposes of this section, "sexual assault" means forcible sex offenses as defined in Code of Federal Regulations, title 34, part 668, subpart D, appendix A, as amended.

Sec. 5. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 3. **Uniform amnesty.** The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, include in the system's sexual harassment and violence policy a provision that no student who reports, in good faith, an act of sexual harassment or sexual violence shall be sanctioned by the institution for admitting to a violation of the institution's student conduct policy on the personal use of drugs or alcohol as part of the report.

Sec. 6. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 4. **Coordination with local law enforcement.** (a) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, direct each campus in the system to enter into a memorandum of understanding with the primary local law enforcement agencies that serve the campus. The memorandum must be entered into no later than January 1, 2017, and updated every two years thereafter. This memorandum shall clearly delineate responsibilities and require information sharing, in accordance with applicable state and federal privacy laws, about certain crimes including, but not limited to, sexual assault. This memorandum of understanding shall provide:

(1) delineation and sharing protocols of investigative responsibilities;

(2) protocols for investigations, including standards for notification and communication and measures to promote evidence preservation; and

(3) a method of sharing information about specific crimes, when directed by the victim, and a method of sharing crime details anonymously in order to better protect overall campus safety.

(b) Prior to the start of each academic year, the Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, distribute an electronic copy of the memorandum of understanding to all employees on the campus that are subject to the memorandum.

(c) A campus is exempt from the requirement that it develop a memorandum of understanding under this section if the campus and local or county law enforcement agencies establish a sexual assault protocol team to facilitate effective cooperation and collaboration between the institution and law enforcement.

Sec. 7. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 5. **Online reporting system.** (a) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, provide an online reporting system to receive complaints of sexual harassment and sexual violence from students and employees. The system must permit anonymous reports, provided that the institution is not obligated to investigate an anonymous report, unless a formal report is submitted through the process established in the institution's sexual harassment and sexual violence policy or an investigation is otherwise required by law.

(b) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, provide students making reports under this section with information about who will receive and have access to the reports filed, how the information gathered through the system will be used, and contact information for on-campus and off-campus organizations serving victims of sexual violence.

(c) Data collected under this subdivision is classified as private data on individuals as defined by section 13.02, subdivision 12.

Sec. 8. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 6. **Data collection and reporting.** (a) The Board of Trustees of the Minnesota State Colleges and Universities and the University of Minnesota shall annually report statistics on sexual assault. This report must be prepared in addition to any federally required reporting on campus security, including reports required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, United States Code, title 20, section 1092(f). The report must include, but not be limited to, the number of incidents of sexual assault reported to the institution in the previous fiscal year, as follows:

- (1) the number that were investigated by the institution;
- (2) the number that were referred for a disciplinary proceeding at the institution;
- (3) the number the victim chose to report to local or state law enforcement;
- (4) the number for which a campus disciplinary proceeding is pending, but has not reached a final resolution;
- (5) the number in which the alleged perpetrator was found responsible by the disciplinary proceeding at the institution;
- (6) the number that resulted in any action by the institution greater than a warning issued to the accused;

(7) the number that resulted in a disciplinary proceeding at the institution that closed without resolution;

(8) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the accused withdrew from the institution;

(9) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the victim chose not to participate in the procedure; and

(10) the number of reports made through the online reporting system established in subdivision 5, excluding reports submitted anonymously.

(b) If an institution previously submitted a report indicating that one or more disciplinary proceedings was pending, but had not reached a final resolution, and one or more of those disciplinary proceedings reached a final resolution within the previous fiscal year, that institution must submit an updated report for the previous year that reflects the outcome of the pending case or cases.

(c) The reports required by this subdivision must be submitted to the Office of Higher Education by October 1 of each year. Each report must contain the data required under paragraphs (a) and (b) from the previous fiscal year. An institution's report under this subdivision is classified as private data on individuals as defined by section 13.02, subdivision 12.

(d) The commissioner of the Office of Higher Education shall calculate statewide numbers for each data item reported by an institution under this subdivision. The statewide numbers should include data from postsecondary institutions that the commissioner could not publish due to federal laws governing access to student records.

(e) The Office of Higher Education shall publish on its Web site:

(1) the statewide data calculated under paragraph (d); and

(2) consistent with federal laws governing access to student records and in consultation with the applicable institution, the data items required under paragraphs (a) and (b) for each postsecondary institution in the state.

This data shall be published as summary data as defined by section 13.02, subdivision 19, and shall not identify alleged victims or perpetrators of crimes. Consistent with federal laws governing access to student records, each state college or university shall, and the University of Minnesota is requested to, publish on the institution's Web site the data items required under paragraphs (a) and (b) for that institution.

(f) If an institution or the Office of Higher Education is unable to publish data under this subdivision due to state or federal laws governing access to student records, it must explain in its report why the institution did not publish such data.

Sec. 9. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 7. **Access to data; audit trail.** (a) Data on incidents of sexual assault shared with campus security officers or campus administrators responsible for investigating or adjudicating complaints of sexual assault are classified as private data on individuals as defined by section 13.02, subdivision 12, for the purposes of postsecondary institutions subject to the requirements of

chapter 13. Postsecondary institutions not otherwise subject to chapter 13 must limit access to the data to only the data subject and persons whose work assignments reasonably require access.

(b) Only individuals with explicit authorization from an institution may enter, update, or access electronic data collected, created, or maintained under this section. The ability of authorized individuals to enter, update, or access data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the institutional authorization that grants access for that purpose. All actions in which data are entered, updated, accessed, shared, or disseminated outside of the institution must be recorded in a data audit trail. An institution shall immediately and permanently revoke the authorization of any individual determined to have willfully entered, updated, accessed, shared, or disseminated data in violation of this subdivision or any provision of chapter 13. If an individual is determined to have willfully gained access to data without explicit authorization, the matter shall be forwarded to a county attorney for prosecution.

Sec. 10. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 8. **Comprehensive training.** (a) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, provide campus security officers and campus administrators responsible for investigating or adjudicating complaints of sexual assault with comprehensive training on preventing and responding to sexual assault in collaboration with the Bureau of Criminal Apprehension or another law enforcement agency with expertise in criminal sexual conduct. The training for campus security officers shall include a presentation on the dynamics of sexual assault, neurobiological responses to trauma, and best practices for preventing, responding to, and investigating sexual assault. The training for campus administrators responsible for investigating or adjudicating complaints on sexual assault shall include presentations on preventing sexual assault, responding to incidents of sexual assault, the dynamics of sexual assault, neurobiological responses to trauma, and compliance with state and federal laws on sexual assault.

(b) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, require that the following categories of students complete a training on sexual assault:

- (1) students pursuing a degree or certificate; and
- (2) any other categories of students determined by the institution.

Students must complete such training no later than ten business days after the start of a student's first semester of classes. Once a student completes such a training, institutions must document the student's completion of the training and provide proof of training completion to a student at the student's request. Students enrolled at more than one institution within the same system at the same time are only required to complete the training once. This training shall include information about topics including, but not limited to, sexual assault as defined in subdivision 2; consent as defined in section 609.341, subdivision 4; preventing and reducing the prevalence of sexual assault; procedures for reporting campus sexual assault; and campus resources on sexual assault, including organizations that support victims of sexual assault.

(c) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, annually train individuals responsible for responding to reports of sexual assault. This training shall include information about best practices for interacting

with victims of sexual assault, including how to reduce the emotional distress resulting from the reporting, investigatory, and disciplinary process.

Sec. 11. Minnesota Statutes 2014, section 135A.15, is amended by adding a subdivision to read:

Subd. 9. **Student health services.** (a) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, develop and implement a policy that requires student health service providers to screen students for incidents of sexual assault. Student health service providers shall offer students information on resources available to victims and survivors of sexual assault including counseling, mental health services, and procedures for reporting incidents of sexual assault to the institution.

(b) The Board of Trustees of the Minnesota State Colleges and Universities shall, and the University of Minnesota is requested to, require that each institution offering student health or counseling services designate an existing staff member or existing staff members as confidential resources for victims of sexual assault. The confidential resource must be available to meet with victims of sexual assault. The confidential resource must provide victims of sexual assault with information about locally available resources for victims of sexual assault including, but not limited to, mental health services and legal assistance. The confidential resource must provide victims of sexual assault with information about the process for reporting an incident of sexual assault to campus authorities or local law enforcement. The victim of sexual assault shall decide whether to report an incident of sexual assault to campus authorities or local law enforcement. Confidential resources must be trained in all aspects of responding to incidents of sexual assault including, but not limited to, best practices for interacting with victims of trauma, preserving evidence, campus disciplinary and local legal processes, and locally available resources for victims of sexual assault. Data shared with a confidential resource is classified as sexual assault communication data as defined by section 13.822, subdivision 1.

EFFECTIVE DATE. The policy required under this subdivision must be in place by January 1, 2017.

Sec. 12. **[626.891] COOPERATION WITH POSTSECONDARY INSTITUTIONS.**

Local law enforcement agencies, including law enforcement agencies operated by statutory cities, home rule charter cities, and counties must enter into and honor the memoranda of understanding required under section 135A.15.

Sec. 13. **EFFECTIVE DATE.**

This act is effective August 1, 2016."

Delete the title and insert:

"A bill for an act relating to higher education; establishing certain criteria for postsecondary sexual harassment and sexual violence policies; providing data classifications; requiring reports; requiring coordination between local law enforcement and postsecondary institutions; amending Minnesota Statutes 2014, sections 13.322, by adding a subdivision; 135A.15, subdivisions 1, 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 626."

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

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

S.F. No. 1535: A bill for an act relating to higher education; making various technical and policy changes to provisions related to higher education, including provisions related to grants, loans, registration, and various higher education programs; prohibiting certain institutions from limiting access to a student's transcript; providing procedures to terminate a postsecondary institution's eligibility for state student aid programs; modifying terms of SELF loan; modernizing, streamlining, and clarifying various statutes; eliminating unnecessary or redundant laws and rules; deleting obsolete language and unnecessary verbiage; amending Minnesota Statutes 2014, sections 13.32, subdivision 6; 16C.075; 136A.01, by adding a subdivision; 136A.031, subdivision 4; 136A.0411; 136A.101, subdivision 8; 136A.103; 136A.125, subdivisions 4, 4b; 136A.1313; 136A.15, subdivision 9; 136A.1701, subdivision 4; 136A.61; 136A.62, subdivision 3; 136A.63, subdivision 2; 136A.64, subdivision 1; 136A.65, subdivisions 4, 7; 136A.657, subdivisions 1, 3, by adding a subdivision; 136A.67; 136A.861, subdivision 1; 136A.87; 136G.05, subdivision 7; 141.21, subdivisions 5, 6a, 9; 141.25; 141.251, subdivision 2; 141.255; 141.26; 141.265; 141.271, subdivisions 1a, 1b, 3, 5, 7, 8, 9, 10, 12, 13, 14; 141.28; 141.29; 141.30; 141.32; 141.35; 197.75, subdivision 1; 261.23; proposing coding for new law in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 2014, sections 135A.25, subdivisions 1, 2, 3, 4, 5; 136A.127, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 9b, 10, 10a, 11, 14; 158.01; 158.02; 158.03; 158.04; 158.05; 158.06; 158.07; 158.08; 158.09; 158.091; 158.10; 158.11; 158.12; Minnesota Rules, parts 4830.0120; 4830.0130; 4830.0140; 4830.0150; 4830.0160; 4830.0170; 4830.0180; 4830.0190; 4830.0195; 4830.7500, subparts 2a, 2b, 2c, 3a.

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

Page 1, delete section 1

Page 2, delete section 3

Page 3, delete section 6

Page 4, delete section 7

Page 5, delete section 8

Page 6, delete section 10

Page 7, delete section 15

Page 9, lines 15 to 20, reinstate the stricken language and delete the new language

Page 19, line 6, after "prorated" insert "based on the number of days in the term"

Page 28, line 1, delete "135A.25, subdivisions 1, 2, 3, 4, and 5;" and insert "136A.862; 141.271, subdivisions 4 and 6;"

Page 28, delete section 1

Pages 30 to 36, delete sections 1 to 16

Page 39, delete section 20

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "providing procedures to"

Page 1, delete line 6

Page 1, line 7, delete everything before "modernizing"

Amend the title numbers accordingly

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

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

H.F. No. 794 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. |
| 794 | | | 771 | | |

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

S.F. No. 636: A bill for an act relating to health; establishing a statewide initiative for early dental prevention; establishing grants for dental chair expansion; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Delete everything after the enacting clause and insert:

"Section 1. [144.3875] EARLY DENTAL PREVENTION INITIATIVE.

(a) The commissioner of health, in collaboration with the commissioner of human services, shall implement a statewide initiative to increase awareness among communities of color and recent immigrants on the importance of early preventive dental intervention for infants and toddlers before and after primary teeth appear.

(b) The commissioner shall develop educational materials and information for expectant and new parents within the targeted communities that include the importance of early dental care to prevent early cavities, including proper cleaning techniques and feeding habits, before and after primary teeth appear.

(c) The commissioner shall develop a distribution plan to ensure that the materials are distributed to expectant and new parents within the targeted communities, including, but not limited to, making the materials available to health care providers, community clinics, WIC sites, and other relevant sites within the targeted communities.

(d) In developing these materials and distribution plan, the commissioner shall work collaboratively with members of the targeted communities, dental providers, pediatricians, child care providers, and home visiting nurses.

(e) The commissioner shall, with input from stakeholders listed in paragraph (d), develop and pilot incentives to encourage early dental care within one year of an infant's teeth erupting.

Sec. 2. GRANTS FOR DENTAL OPERATORY EXPANSION.

(a) The commissioner of health shall award grants to private practicing dentists or nonprofit dental clinics for the purpose of expanding their dental practice by adding a dental chair and necessary dental equipment. To be eligible for the grants, the dentist or clinic must meet the following requirements:

(1) the dental operatory expansion must be operated by a critical access dental provider defined under Minnesota Statutes, section 256B.76, subdivision 4; and

(2) the dentist or clinic must comply with Minnesota Statutes, section 145.9268, subdivision 1, clause (1), as it relates to the use of a sliding fee scale or other procedures to serve all patients, regardless of the patient's ability to pay.

(b) Grant applications may be submitted to the commissioner at any time, and the commissioner shall award grants to any applicant that meets the requirements until all appropriated grant funds have been expended. Grants may be awarded to an expansion already in progress and an applicant may apply for more than one expansion grant.

(c) The maximum award per expansion grant shall be no more than 33 percent of the total costs for a given project expansion, including site acquisition, design, construction, and equipment costs. An applicant shall describe in the application how the proposed operatory and dental equipment will be used to expand dental services to state public health care program enrollees and other uninsured and underinsured patients in underserved communities. The commissioner shall give priority to applicants that can demonstrate that the expansion will address an unmet regional need for dental care. The commissioner shall consider an applicant's history, if any, of successful dental operatory expansions.

Sec. 3. APPROPRIATION; EARLY DENTAL PREVENTION; DENTAL OPERATORY EXPANSION.

(a) \$..... is appropriated for the biennium ending June 30, 2017, from the general fund to the commissioner of health for the development and distribution of the early dental prevention initiative under Minnesota Statutes, section 144.3875.

(b) \$2,000,000 is appropriated in fiscal year 2016 from the general fund to the commissioner of health for dental operatory expansion grants. This is a onetime appropriation and shall be available until June 30, 2017."

Amend the title as follows:

Page 1, line 3, delete "chair" and insert "operatory"

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

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

S.F. No. 801: A bill for an act relating to human services; modifying medical assistance coverage and reimbursement for dental services; authorizing development of a new dental reimbursement system; convening a work group on oral health system administrative simplification; covering basic dental screenings performed by dental hygienists and dental therapists; appropriating money; amending Minnesota Statutes 2014, sections 256B.0625, subdivisions 9, 14; 256B.76, subdivision 2.

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

Page 3, after line 4, insert:

"Sec. 2. Minnesota Statutes 2014, section 256B.0625, is amended by adding a subdivision to read:

Subd. 9b. Dental services provided by faculty members and resident dentists at a dental school. (a) A dentist who is not enrolled as a medical assistance provider, is a faculty or adjunct member at the University of Minnesota or a resident dentist licensed under section 150A.06, subdivision 1b, and is providing dental services at a dental clinic owned or operated by the University of Minnesota, may be enrolled as a medical assistance provider if the provider completes and submits to the commissioner an agreement form developed by the commissioner. The agreement must specify that the faculty or adjunct member or resident dentist:

(1) will not receive payment for the services provided to medical assistance or MinnesotaCare enrollees performed at the dental clinics owned or operated by the University of Minnesota;

(2) will not be listed in the medical assistance or MinnesotaCare provider directory; and

(3) is not required to serve medical assistance and MinnesotaCare enrollees when providing nonvolunteer services in a private practice.

(b) A dentist or resident dentist enrolled under this subdivision as a fee-for-service provider shall not otherwise be enrolled in or receive payments from medical assistance or MinnesotaCare as a fee-for-service provider."

Page 4, line 29, delete "CPT" and insert "CDT"

Page 7, delete section 5

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "permitting faculty members and resident dentists to enroll as medical assistance providers;"

Page 1, line 4, delete "convening a work group on oral health system"

Page 1, line 5, delete "administrative simplification;"

Amend the title numbers accordingly

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

Senator Metzen from the Committee on Commerce, to which was referred

S.F. No. 1530: A bill for an act relating to insurance; requiring health plan companies to offer enrollees a choice in pharmacy providers; requiring coverage for health care services provided by licensed pharmacists; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 1, after line 13, insert:

"This subdivision does not apply to an enrollee in the Minnesota restricted recipient program pursuant to Minnesota Rules, part 9505.2238."

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

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 981: A bill for an act relating to health insurance; requiring coverage for telemedicine for health carriers and medical assistance; amending Minnesota Statutes 2014, section 256B.0625, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, after line 8, insert:

"Subdivision 1. **Applicability.** For purposes of this section, the terms defined in this section have the meanings given."

Renumber the subdivisions in sequence

Page 1, line 17, after "3" insert ", but does not include dental plans that provide indemnity-based benefits, regardless of expenses incurred and are designed to pay benefits directly to the policyholder"

Page 2, line 6, delete "is not a telemedicine consultation." and insert "or audio-only telephone, e-mail, or facsimile transmissions does not constitute telemedicine consultations."

Page 2, line 7, delete the colon

Page 2, line 8, delete "(1)"

Page 2, line 11, after "education," insert "and" and delete ", and self-management" and delete ";
or" and insert a period

Page 2, delete lines 12 to 15

Page 2, line 17, after "plan" insert "sold," and after "issued" insert a comma

Page 2, line 18, after "carrier" insert "for which coverage of benefits begins" and delete "August 1, 2016" and insert "January 1, 2017"

Page 2, line 20, after the period, insert "Nothing in this section shall be construed to require a health carrier to provide coverage for services that are not medically necessary."

Page 2, line 26, after "for" insert "covered"

Page 2, line 28, after "delivered" insert "by the distant site provider"

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

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 934: A bill for an act relating to health care coverage; modifying utilization review and prior authorization requirements for prescription drug coverage; requiring prescription drug benefit transparency and disclosure; amending Minnesota Statutes 2014, sections 62J.497, subdivisions 1, 3, 4; 62M.02, subdivisions 12, 14, 15, 17, by adding subdivisions; 62M.05, subdivisions 3a, 3b, 4; 62M.06, subdivisions 2, 3; 62M.07; 62M.09, subdivisions 3, 6; 62M.10, subdivision 7; 62M.11; 256B.0625, subdivision 13f; 256B.69, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 62M; 62Q.

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

Page 2, line 7, after "6" insert ", but does not include workers' compensation plans or the medical component of automobile insurance coverage"

Page 7, line 31, before the comma, insert "for a completed review request"

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

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 139: A bill for an act relating to health; eliminating the MNsure Board; designating MNsure as a state agency; changing rulemaking provisions; amending Minnesota Statutes 2014, sections 15.01; 15A.0815, subdivision 2; 62V.02, subdivisions 2, 11; 62V.03; 62V.04; 62V.05; 62V.06; 62V.07; 62V.08; 62V.09; repealing Minnesota Statutes 2014, section 62V.11.

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

Page 2, after line 25, insert:

"Sec. 3. Minnesota Statutes 2014, section 62A.02, subdivision 2, is amended to read:

Subd. 2. **Approval.** (a) The health plan form shall not be issued, nor shall any application, rider, endorsement, or rate be used in connection with it, until the expiration of 60 days after it has been filed unless the commissioner approves it before that time.

(b) Notwithstanding paragraph (a), a rate filed with respect to a policy of accident and sickness insurance as defined in section 62A.01 by an insurer licensed under chapter 60A, may be used on or after the date of filing with the commissioner. Rates that are not approved or disapproved within the 60-day time period are deemed approved. This paragraph does not apply to Medicare-related coverage as defined in section 62A.3099, subdivision 17.

(c) For coverage to begin on or after January 1, 2016, and each January 1 thereafter, health plans in the individual and small group markets that are not grandfathered plans to be offered outside

MNsure and qualified health plans to be offered inside MNsure must receive rate approval from the commissioner no later than 30 days prior to the beginning of the annual open enrollment period for MNsure. Premium rates for all carriers in the applicable market for the next calendar year must be made available to the public by the commissioner only after all rates for the applicable market are final and approved. Final and approved rates must be publicly released at a uniform time for all individual and small group health plans that are not grandfathered plans to be offered outside MNsure and qualified health plans to be offered inside MNsure, and no later than 30 days prior to the beginning of the annual open enrollment period for MNsure."

Page 4, line 15, strike the colon

Page 4, lines 16 and 17, strike the old language and delete the new language

Page 4, line 18, strike "(2)"

Page 11, after line 12, insert:

"(j) The commissioners of human services and MNsure, upon federal approval, shall establish an insurance producer incentive program to compensate insurance producers for providing application enrollment assistance for public health care programs. The program must include certification training standards for insurance producers seeking compensation under the incentive program. The standards must meet the training modules specified under Minnesota Rules, part 7700.0050, subpart 1. The amount of compensation to be paid to an insurance producer under this program is established in section 256.962, subdivision 5."

Page 11, lines 26 and 27, delete the new language

Page 16, after line 26, insert:

"Subd. 11. **Prohibition on other product lines.** (a) MNsure is prohibited, either directly or through another agency or business partner, from certifying, selecting, or offering products and policies of coverage other than qualified health plans or dental plans.

(b) This subdivision expires July 1, 2018."

Page 21, after line 2, insert:

"Sec. 13. Minnesota Statutes 2014, section 256.962, subdivision 5, is amended to read:

Subd. 5. **Incentive program.** Beginning January 1, 2008, the commissioner shall establish an incentive program for ~~organizations and licensed insurance producers under chapter 60K~~ community assistance partners defined in Minnesota Rules, part 7700.0020, subpart 7, that directly identify and assist potential enrollees in filling out and submitting an application. For each applicant who is successfully enrolled in MinnesotaCare; ~~or medical assistance, or general assistance medical care;~~ the commissioner, ~~within the available appropriation;~~ shall pay the ~~organization or licensed insurance producer~~ community assistance partner or insurance producer if the insurance producer has completed the certification training program administered by the commissioner of MNsure in accordance with section 62V.05, subdivision 3, paragraph (j), a \$25 ~~\$70~~ application assistance bonus. ~~The organization or licensed insurance producer may provide an applicant a gift certificate or other incentive upon enrollment.~~

Sec. 14. **EXPANDED ACCESS TO THE SMALL BUSINESS HEALTH CARE TAX CREDIT.**

(a) The commissioner of commerce, in consultation with the commissioner of MNsure, shall develop a proposal to allow small employers the ability to receive the small business health care tax credit when the small employer pays the premiums on behalf of employees enrolled in either a qualified health plan offered through a small business health options program (SHOP) marketplace or a small group health plan offered outside of the small health options program marketplace within MNsure. To be eligible for the tax credit, the small employer must meet the requirements under the Affordable Care Act, except that employees may be enrolled in a small group health plan product offered outside of MNsure.

(b) The commissioner of commerce shall seek all federal waivers and approvals necessary to implement this proposal. The commissioner shall submit a draft proposal to the legislature at least 30 days before submitting a final proposal to the federal government, and shall notify the legislature of any federal decision or action received regarding the proposal and submitted waiver.

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

Page 21, line 6, delete "12" and insert "15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the first semicolon, insert "regulating MNsure operations;"

Amend the title numbers accordingly

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

Senator Wiger from the Committee on Education, to which was referred

S.F. No. 343: A bill for an act relating to education; providing for physical education standards and benchmarks; requiring assessments; amending graduation requirements; amending Minnesota Statutes 2014, sections 120B.021, subdivisions 1, 3, 4; 120B.024, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

Page 2, line 7, delete "school district needs" and insert "state interest"

Page 2, line 9, delete "develop" and insert "make available"

Page 2, line 10, delete "2017-2018" and insert "2018-2019"

Page 2, line 19, after "studies," insert "physical education,"

Page 2, lines 24 to 26, delete the new language

Page 3, delete section 4

Page 4, delete subdivision 1

Page 5, line 3, delete "Subd. 2" and insert "Subdivision 1" and before "A" insert "A student may be excused from a physical education class if the student submits written information signed by a physician stating that physical activity will jeopardize the student's health."

Page 5, line 8, delete "A"

Page 5, line 9, delete "student must not be excluded" and insert "Schools are strongly encouraged not to exclude students in kindergarten through grade 5"

Page 5, line 10, delete "3" and insert "2" and delete "highly qualified"

Page 5, line 12, delete "that"

Page 5, delete line 13

Page 5, line 14, delete "teaching methods" and insert "under section 122A.60"

Page 5, after line 14, insert:

"Sec. 6. Minnesota Statutes 2014, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance reports.** (a) The commissioner shall report student academic performance under section 120B.35, subdivision 2; the percentages of students showing low, medium, and high growth under section 120B.35, subdivision 3, paragraph (b); school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d); rigorous coursework under section 120B.35, subdivision 3, paragraph (c); the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause (2), whose progress and performance levels are meeting career and college readiness benchmarks under sections 120B.30, subdivision 1, and 120B.35, subdivision 3, paragraph (e); longitudinal data on the progress of eligible districts in reducing disparities in students' academic achievement and realizing racial and economic integration under section 124D.861; the acquisition of English, and where practicable, native language academic literacy, including oral academic language, and the academic progress of English learners under section 124D.59, subdivisions 2 and 2a; the weekly amount of time students in kindergarten through grade 8 are scheduled to spend in physical education class, the percent of students in kindergarten through grade 12 who receive a passing grade in physical education, and the number of required physical education credits high school students must complete to graduate; two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios; staff characteristics excluding salaries; student enrollment demographics; district mobility; and extracurricular activities. The report also must indicate a school's adequate yearly progress status under applicable federal law, and must not set any designations applicable to high- and low-performing schools due solely to adequate yearly progress status.

(b) The commissioner shall develop, annually update, and post on the department Web site school performance reports.

(c) The commissioner must make available performance reports by the beginning of each school year.

(d) A school or district may appeal its adequate yearly progress status in writing to the commissioner within 30 days of receiving the notice of its status. The commissioner's decision to uphold or deny an appeal is final.

(e) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public Web site no later than September 1, except that in years when

the reports reflect new performance standards, the commissioner shall post the school performance reports no later than October 1.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to reports for the 2017-2018 school year and later."

Renumber the sections in sequence

Amend the title accordingly

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

Senator Wiger from the Committee on Education, to which was referred

S.F. No. 811: A bill for an act relating to education; providing funding and policy for early childhood and family, prekindergarten through grade 12, and adult education, including general education, education excellence, special education, facilities, technology, nutrition, libraries, accounting, early childhood, education, self-sufficiency, lifelong learning, and state agencies; appropriating money; amending Minnesota Statutes 2014, sections 120A.41; 122A.415, subdivision 1; 124D.1158, subdivision 3; 124D.15, subdivision 5; 124D.162; 124D.165, subdivision 2; 124D.42, subdivision 8; 124D.59, subdivision 2; 125A.79, subdivision 1; 126C.05, subdivision 1; 126C.10, subdivisions 2, 13a; 127A.41, subdivisions 8, 9; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2014, sections 124D.15, subdivision 3a; 124D.16, subdivisions 2, 3, 5.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 1215: A bill for an act relating to health; prohibiting the use of certain flame-retardant chemicals in certain products; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 1099: A bill for an act relating to environment; regulating chemicals of high concern in children's products; amending Minnesota Statutes 2014, sections 13.7411, subdivision 8; 116.9401; 116.9402; 116.9403; 116.9405; 116.9406; proposing coding for new law in Minnesota Statutes, chapter 116.

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

Page 5, lines 9, 10, and 11, reinstate the stricken language

Page 5, line 17, delete the new language and reinstate the stricken language

Page 5, line 22, delete "(11)" and insert "(12)"

Page 5, line 25, delete "(12)" and insert "(13)"

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

Senator Metzen from the Committee on Commerce, to which was referred

S.F. No. 135: A bill for an act relating to commerce; regulating conduct of an insurer in collision cases; amending Minnesota Statutes 2014, section 72B.092, subdivision 1.

Reports the same back with the recommendation that the bill be reported to the Senate without recommendation. Report adopted.

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

S.F. No. 1181: A bill for an act relating to human services; modifying human services licensing actions; amending Minnesota Statutes 2014, sections 245A.06, by adding a subdivision; 245A.07, by adding a subdivision; 245A.08, subdivision 3, by adding a subdivision; 626.557, subdivision 12b; 626.5572, subdivision 17.

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 2014, section 245A.06, is amended by adding a subdivision to read:

Subd. 1a. **Correction orders and conditional licenses for programs licensed as home and community-based services.** (a) For programs licensed under both this chapter and chapter 245D, if the license holder operates more than one service site under a single license governed by chapter 245D, the order issued under this section shall be specific to the service site or sites at which the violations of applicable law or rules occurred. The order shall not apply to other service sites governed by chapter 245D and operated by the same license holder unless the commissioner has included in the order the articulable basis for applying the order to another service site.

(b) If the commissioner has issued more than one license to the license holder under this chapter, the conditions imposed under this section shall be specific to the license for the program at which the violations of applicable law or rules occurred and shall not apply to other licenses held by the same license holder if those programs are being operated in substantial compliance with applicable law and rules.

Sec. 2. [245A.081] SETTLEMENT AGREEMENT.

(a) A license holder who has made a timely appeal pursuant to section 245A.06, subdivision 4, or 245A.07, subdivision 3, or the commissioner may initiate a discussion about a possible settlement agreement related to the licensing sanction. For the purposes of this section, the following conditions apply to a settlement agreement reached by the parties:

(1) if the parties enter into a settlement agreement, the effect of the agreement shall be that the appeal is withdrawn and the agreement shall constitute the full agreement between the commissioner and the party who filed the appeal; and

(2) the settlement agreement must identify the agreed upon actions the license holder has taken and will take in order to achieve and maintain compliance with the licensing requirements that the commissioner determined the license holder had violated.

(b) Neither the license holder nor the commissioner is required to initiate a settlement discussion under this section.

(c) If a settlement discussion is initiated by the license holder, the commissioner shall respond to the license holder within 14 calendar days of receipt of the license holder's submission.

(d) If the commissioner agrees to engage in settlement discussions, the commissioner may decide at any time not to continue settlement discussions with a license holder."

Amend the title numbers accordingly

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

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

S.F. No. 1078: A bill for an act relating to data practices; providing for sharing of data within human services and health care systems; amending Minnesota Statutes 2014, sections 13.46, subdivisions 2, 7; 144.293, subdivision 6; 245.467, subdivision 6; 245.4876, subdivision 7.

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

Page 1, lines 24 and 25, delete the new language

Page 2, lines 1 and 2, delete the new language

Page 5, line 23, strike "or"

Page 5, line 26, strike the period and insert "; or"

Page 5, after line 26, insert:

"(31) to a health care provider governed by sections 144.291 to 144.298, to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293."

Page 6, line 12, delete everything after "family"

Page 6, delete lines 13 and 14 and insert "to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293;"

Page 6, before line 15, insert:

"(5) to a health care provider governed by sections 144.291 to 144.298, to the extent necessary to coordinate services, provided that a health record may be disclosed only as provided under section 144.293; or"

Page 6, line 15, delete "(5)" and insert "(6)"

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

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

S.F. No. 1517: A bill for an act relating to human services; requiring the commissioner of human services to seek an amendment to the budget methodology for consumer-directed community supports.

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

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

S.F. No. 590: A bill for an act relating to long-term care; providing for long-term care workforce needs; appropriating money; amending Minnesota Statutes 2014, sections 144.1501, subdivision 3; 256B.431, subdivision 36; 256B.441, subdivisions 13, 53.

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 2014, section 144.1501, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** (a) To be eligible to participate in the loan forgiveness program, an individual must:

(1) be a medical or dental resident, a licensed pharmacist or be enrolled in a dentist, midlevel practitioner, registered nurse, or a licensed practical nurse training program; and

(2) submit an application to the commissioner of health. If fewer applications are submitted by dental students or residents than there are dentist participant slots available, the commissioner may consider applications submitted by dental program graduates who are licensed dentists. The commissioner may consider applications submitted by nursing program graduates who are registered nurses or licensed practical nurses.

(b) An applicant selected to participate must sign a contract to agree to serve a minimum three-year full-time service obligation according to subdivision 2, which shall begin no later than March 31 following completion of required training, with the exception of a nurse, who must agree to serve a minimum two-year full-time service obligation according to subdivision 2, which shall begin no later than March 31 following completion of required training.

Sec. 2. [144.1503] HOME AND COMMUNITY-BASED SERVICES EMPLOYEE SCHOLARSHIP PROGRAM.

Subdivision 1. **Creation.** The home and community-based services employee scholarship grant program is established for the purpose of assisting qualified provider applicants to provide employee scholarships for education in nursing and other health care fields.

Subd. 2. **Provision of grants.** The commissioner shall make grants available to qualified providers of older adult services. Grants must be used by home and community-based service providers to recruit and train staff in their settings through the establishment of an employee scholarship fund within the setting.

Subd. 3. **Eligibility.** Eligible providers must primarily provide services to individuals who are 65 years of age and older in home and community-based settings, including housing with services establishments, adult day centers, and home care agencies. Qualifying providers must have an established home and community-based employee scholarship program, as specified in subdivision 4. Providers that receive funding under this section must use the funds to award scholarships to employees who work an average of at least 16 hours per week for the provider.

Subd. 4. **Home and community-based employee scholarship program.** Each qualifying provider under this section must have an established home and community-based services employee scholarship program. Providers may establish criteria by which funds are distributed among employees. At a minimum, the scholarship program must cover employee costs related to a course of study that is expected to lead to career advancement with the provider or in the field of long-term care, including home care, care of persons with disabilities, or nursing.

Subd. 5. **Participating providers.** The commissioner shall publish a request for proposals in the State Register by August 15, 2015, specifying provider eligibility requirements, provider selection criteria, program specifics, funding mechanism, and methods of evaluation. The commissioner must publish additional requests for proposals by August 15 of each year in which funding is appropriated for this purpose.

Subd. 6. **Reporting requirements.** Participating providers shall report to the commissioner on a schedule determined by the commissioner and on a form supplied by the commissioner no later than October 1, 2017. The report shall include the amount spent; number of employees who received scholarships; and, for each scholarship recipient, the name of the recipient, the amount awarded, the educational institution attended, the nature of the educational program, and the expected or actual program completion date. The commissioner shall require providers to repay all of the funds awarded under this section if the report required under this subdivision is not filed according to the schedule determined by the commissioner.

Sec. 3. Minnesota Statutes 2014, section 256B.431, subdivision 36, is amended to read:

Subd. 36. **Employee scholarship costs and training in English as a second language.** (a) For the period between July 1, 2001, and June 30, 2003, the commissioner shall provide to each nursing facility reimbursed under this section, section 256B.434, or any other section, a scholarship per diem of 25 cents to the total operating payment rate. For the two rate years beginning on or after October 1, 2015, through September 30, 2017, the commissioner shall allow a scholarship per diem of up to 25 cents for each requesting facility to be added to the external fixed payment rate to be used:

(1) for employee scholarships that satisfy the following requirements:

(i) scholarships are available to all employees who work an average of at least 20 hours per week at the facility except the administrator, department supervisors, and registered nurses; and

(ii) the course of study is expected to lead to career advancement with the facility or in long-term care, including medical care interpreter services and social work; and

(2) to provide job-related training in English as a second language; and

(2) for employee scholarships for courses of study expected to lead to career advancement with the facility or in long-term care, including medical care interpreter services and social work. The

scholarships must be available to all employees, except the administrator, who work an average of ten hours per week at the facility. The scholarships may be used to reimburse:

(i) student loan expenses for newly hired and recently graduated registered nurses and licensed practical nurses; and

(ii) training expenses for newly hired and recently graduated nursing assistants as defined in section 144A.61, subdivision 2.

~~(b) A facility receiving~~ All facilities may annually request a rate adjustment under this subdivision ~~may submit by submitting information to the commissioner on a schedule determined by the commissioner and on~~ in a form supplied by the commissioner a calculation of the scholarship per diem, including: the amount received from this rate adjustment; the amount used for training in English as a second language; the number of persons receiving the training; the name of the person or entity providing the training; and for each scholarship recipient, the name of the recipient, the amount awarded, the educational institution attended, the nature of the educational program, the program completion date, and a determination of the per diem amount of these costs based on actual resident days. The commissioner shall allow a scholarship payment rate equal to the reported and allowable costs divided by resident days.

~~(c) On July 1, 2003, the commissioner shall remove the 25-cent scholarship per diem from the total operating payment rate of each facility.~~

~~(d) For rate years beginning after June 30, 2003, the commissioner shall provide to each facility the scholarship per diem determined in paragraph (b). In calculating the per diem under paragraph (b), the commissioner shall allow ~~only~~ costs related to tuition ~~and~~ direct educational expenses, and reasonable costs, as defined by the commissioner, for child care costs and transportation expenses related to direct educational expenses.~~

~~(d) The rate increase under this subdivision is an optional rate add-on that the facility must request from the commissioner in a manner prescribed by the commissioner. The rate increase must be used for scholarships as specified in this subdivision.~~

~~(e) Nursing facilities that close beds during a rate year may request to have their scholarship adjustment under paragraph (b) recalculated by the commissioner for the remainder of the rate year to reflect the reduction in resident days compared to the cost report year.~~

Sec. 4. Minnesota Statutes 2014, section 256B.441, subdivision 13, is amended to read:

Subd. 13. **External fixed costs.** "External fixed costs" means costs related to the nursing home surcharge under section 256.9657, subdivision 1; licensure fees under section 144.122; until September 30, 2013, long-term care consultation fees under section 256B.0911, subdivision 6; family advisory council fee under section 144A.33; scholarships under section 256B.431, subdivision 36; career ladder rate adjustments under subdivision 65; planned closure rate adjustments under section 256B.437; or single bed room incentives under section 256B.431, subdivision 42; property taxes and property insurance; and PERA.

Sec. 5. Minnesota Statutes 2014, section 256B.441, subdivision 53, is amended to read:

Subd. 53. **Calculation of payment rate for external fixed costs.** The commissioner shall calculate a payment rate for external fixed costs.

(a) For a facility licensed as a nursing home, the portion related to section 256.9657 shall be equal to \$8.86. For a facility licensed as both a nursing home and a boarding care home, the portion related to section 256.9657 shall be equal to \$8.86 multiplied by the result of its number of nursing home beds divided by its total number of licensed beds.

(b) The portion related to the licensure fee under section 144.122, paragraph (d), shall be the amount of the fee divided by actual resident days.

(c) The portion related to scholarships shall be determined under section 256B.431, subdivision 36.

(d) Until September 30, 2013, the portion related to long-term care consultation shall be determined according to section 256B.0911, subdivision 6.

(e) The portion related to development and education of resident and family advisory councils under section 144A.33 shall be \$5 divided by 365.

(f) The portion related to planned closure rate adjustments shall be as determined under section 256B.437, subdivision 6, and Minnesota Statutes 2010, section 256B.436. Planned closure rate adjustments that take effect before October 1, 2014, shall no longer be included in the payment rate for external fixed costs beginning October 1, 2016. Planned closure rate adjustments that take effect on or after October 1, 2014, shall no longer be included in the payment rate for external fixed costs beginning on October 1 of the first year not less than two years after their effective date.

(g) The portions related to property insurance, real estate taxes, special assessments, and payments made in lieu of real estate taxes directly identified or allocated to the nursing facility shall be the actual amounts divided by actual resident days.

(h) The portion related to the Public Employees Retirement Association shall be actual costs divided by resident days.

(i) The single bed room incentives shall be as determined under section 256B.431, subdivision 42. Single bed room incentives that take effect before October 1, 2014, shall no longer be included in the payment rate for external fixed costs beginning October 1, 2016. Single bed room incentives that take effect on or after October 1, 2014, shall no longer be included in the payment rate for external fixed costs beginning on October 1 of the first year not less than two years after their effective date.

(j) The portion related to career ladder rate adjustments shall be determined under subdivision 65.

(k) The payment rate for external fixed costs shall be the sum of the amounts in paragraphs (a) to ~~(i)~~ (j).

Sec. 6. Minnesota Statutes 2014, section 256B.441, is amended by adding a subdivision to read:

Subd. 65. Career ladder rate adjustment. (a) Effective beginning January 1, 2016, the commissioner shall make available rate adjustments for nursing facilities to implement career ladder wage increases for participants in leadership or apprenticeship programs. These rate adjustments shall be added to the external fixed portion of the rate and must be used for the wage increases and associated costs including the employer's share of FICA taxes, Medicare taxes, state and federal unemployment taxes, and workers' compensation provided to employees who are

participating in, or have completed, leadership training or an apprenticeship program approved by either the commissioner of labor and industry or the commissioner of human services.

(b) Nursing facilities must apply to the commissioner on the forms and according to the timelines specified by the commissioner in order to receive a rate adjustment for the career ladder wage increases. Applications for each rate year beginning on October 1 are due by the previous August 31.

(c) Nursing facilities applying for a rate adjustment for leadership training or apprenticeship programs shall include on the application the estimated number of employees who will be participating in the leadership training or apprenticeship programs during the rate year, the wage increase those employees will be paid as a result of their apprenticeship, and the number of hours they are expected to work.

(d) The maximum rate increase for leadership training or apprenticeship programs shall be computed as the estimated hours times the wage increases divided by the actual resident days from the most recent statistical and cost report.

(e) If the costs from all proposals exceed the appropriation for this purpose, the commissioner shall allocate the money appropriated on a pro rata basis to the applying facilities by reducing the rate adjustment determined for each facility by an equal percentage.

(f) Participating nursing facilities must submit to the commissioner a report after the end of the rate year to determine how much of the rate increase was actually spent on wage increases for leadership training and apprenticeship program participants. The commissioner shall recoup the difference between actual and expected funding from a nursing facility found to have spent less than 90 percent of what the facility had expected to spend based on the rate increase authorized by the commissioner. The commissioner shall not adjust the rate adjustment to reflect the actual cost of wage increases under this subdivision if the actual cost exceeds the estimated cost.

Sec. 7. APPROPRIATION; LONG-TERM CARE GRANT PROGRAM.

(a) \$..... in fiscal year 2016 is appropriated from the general fund to the commissioner of employment and economic development for a grant program to further the advancement of long-term care careers. Long-term care employers, Minnesota postsecondary education institutions, and adult training programs may apply to receive grants for the following purposes:

- (1) to provide funding for employees to further education opportunities;
- (2) conferences;
- (3) to highlight long-term care week;
- (4) to provide hiring incentives to attract employees to the long-term care field;
- (5) to provide leadership training for staff;
- (6) to fund innovative adult training programs that train low-income and underemployed individuals;
- (7) to provide mentorship models;
- (8) to fund simulation centers at local community colleges to train employees for long-term care careers;

(9) to support health care education programming; and

(10) to provide innovative models for employers to implement policies and programs to attract and retain employees in the long-term care field.

(b) Eligible organizations must apply to the commissioner of employment and economic development for a grant on the forms and according to the timelines established by the commissioner. The commissioner shall give preference to long-term care providers, including nursing facilities, licensed under Minnesota Statutes, chapter 144A, and providers registered as housing with services establishments under Minnesota Statutes, chapter 144D.

(c) The commissioner shall publish the grant notice twice per year and make grants on October 1 and March 1 of each year the long-term care grant program is funded.

Sec. 8. APPROPRIATION; LONG-TERM CARE STUDY.

\$..... in fiscal year 2016 is appropriated from the general fund to the commissioner of employment and economic development to study ways in which tax credits or hiring incentives can benefit long-term care employers to recruit, retain, and provide career ladders to employees in the long-term care field. The commissioner must report recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over employment and economic development, health, and human services policy and finance by February 1, 2016.

Sec. 9. APPROPRIATION; WORKFORCE CENTERS.

\$..... in fiscal year 2016 is appropriated from the general fund to the commissioner of employment and economic development for purposes of enhancing or establishing new programs within Minnesota Workforce Centers to address the shortage of paid caregivers in senior care settings in Minnesota. Programs may include, but are not limited to, screening of potential candidates for caregiving careers, promotion of vacant caregiving positions, training of potential caregivers, and placement of caregivers in nursing facilities, housing with services establishments, home care agencies, and adult day centers.

Sec. 10. APPROPRIATION; NURSE LOAN FORGIVENESS PROGRAM.

\$260,000 in fiscal year 2016 is appropriated from the general fund to the commissioner of health for the nurse loan forgiveness program under Minnesota Statutes, section 144.1501. This appropriation is in addition to any previous appropriation for this purpose and is added to the program's base.

Sec. 11. APPROPRIATION; HOME AND COMMUNITY-BASED SERVICES EMPLOYEE SCHOLARSHIP PROGRAM.

\$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the general fund to the commissioner of health for the purposes of the home and community-based services employee scholarship program under Minnesota Statutes, section 144.1503.

Sec. 12. APPROPRIATION; CAREER LADDER RATE ADJUSTMENT.

\$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the general fund to the commissioner of human services to cover the state share of providing career ladder program rate adjustments under Minnesota Statutes, section 256B.441, subdivision 65. This appropriation is added to the base for the fiscal 2018-2019 biennium."

Delete the title and insert:

"A bill for an act relating to health and human services; providing for long-term care workforce needs; providing for employee scholarships and loan forgiveness; modifying nursing facility rate provisions; appropriating money; amending Minnesota Statutes 2014, sections 144.1501, subdivision 3; 256B.431, subdivision 36; 256B.441, subdivisions 13, 53, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 144."

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

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

S.F. No. 1071: A bill for an act relating to health; establishing duties for the commissioner of health and licensed hospitals related to violence against health care workers; establishing a violence prevention database; providing penalties for hospitals; amending Minnesota Statutes 2014, section 144.55, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Delete everything after the enacting clause and insert:

"Section 1. [144.566] VIOLENCE AGAINST HEALTH CARE WORKERS.

Subdivision 1. **Definitions.** (a) The following definitions apply to this section and have the meanings given.

(b) "Act of violence" means an act by a patient or visitor against a health care worker that includes kicking, scratching, urinating, sexually harassing, or any act defined in sections 609.221 to 609.2241.

(c) "Commissioner" means the commissioner of health.

(d) "Health care worker" means any person, whether licensed or unlicensed, employed by, volunteering in, or under contract with a hospital, who has direct contact with a patient of the hospital for purposes of either medical care or emergency response to situations potentially involving violence.

(e) "Hospital" means any facility licensed as a hospital under section 144.55.

(f) "Incident response" means the actions taken by hospital administration and health care workers during and following an act of violence.

(g) "Interfere" means to prevent, impede, discourage, or delay a health care worker's ability to report acts of violence, including by retaliating or threatening to retaliate against a health care worker.

(h) "Preparedness" means the actions taken by hospital administration and health care workers to prevent a single act of violence or acts of violence generally.

(i) "Retaliate" means to discharge, discipline, threaten, otherwise discriminate against, or penalize a health care worker regarding the health care worker's compensation, terms, conditions, location, or privileges of employment.

Subd. 2. **Hospital duties.** (a) All hospitals must design and implement preparedness and incident response action plans to acts of violence by January 15, 2016, and submit an annual report to the commissioner by the same date and annually thereafter.

(b) A hospital shall establish a committee of representatives of health care workers employed by the hospital and nonclinical staff to develop preparedness and incident response action plans to acts of violence. The hospital shall review any recommendations made by the commissioner and local law enforcement while developing the plans. The hospital shall, in consultation with the established committee, implement the plans under paragraph (a).

(c) As part of the preparedness and incident response action plans to acts of violence developed under paragraphs (a) and (b), the hospital shall establish a methodology for providing assistance, such as security or mental health professional support, when a patient or visitor appears to be at risk of becoming violent.

(d) A hospital shall provide training to all health care workers employed or contracted with the hospital on safety during acts of violence. Each health care worker must receive safety training annually and upon hire. Training must, at a minimum, include:

- (1) safety guidelines for response to and deescalation of an act of violence;
- (2) ways to identify potentially violent or abusive situations; and
- (3) the hospital's incident response reaction plan and violence prevention plan.

(e) In its annual report to the commissioner required under paragraph (a), the hospital must submit on a form to be determined by the commissioner:

- (1) a summary of its preparedness and incident response action plans;
- (2) a completed gap analysis;
- (3) the number of acts of violence that occurred in the hospital during the previous year, including any injuries sustained, if any, and the unit in which the incident occurred; and
- (4) a letter from the hospital chief executive certifying that the hospital has implemented its preparedness and incident response action plans.

(f) A hospital, including any individual, partner, association, or any person or group of persons acting directly or indirectly in the interest of the hospital, shall not interfere with or discourage a health care worker if the health care worker wishes to contact law enforcement or the commissioner regarding an act of violence.

(g) The commissioner may impose an administrative fine of up to \$250 for failure to submit the report under paragraph (a) by the required date."

Delete the title and insert:

"A bill for an act relating to health; establishing duties for licensed hospitals related to violence against health care workers; proposing coding for new law in Minnesota Statutes, chapter 144."

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

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

S.F. No. 1207: A bill for an act relating to human services; simplifying the treatment of income for public assistance programs; simplifying requirements for reporting income and changes and for correcting overpayments and underpayments; amending Minnesota Statutes 2014, sections 119B.011, subdivision 15; 119B.025, subdivision 1; 119B.035, subdivision 4; 119B.09, subdivision 4; 256D.01, subdivision 1a; 256D.02, subdivision 8, by adding a subdivision; 256D.06, subdivision 1; 256D.405, subdivision 3; 256I.03, subdivision 7, by adding a subdivision; 256I.04, subdivision 1; 256I.06, subdivision 6; 256J.08, subdivisions 26, 86; 256J.30, subdivisions 1, 9; 256J.35; 256J.40; 256J.95, subdivision 19; 256P.001; 256P.01, subdivision 3, by adding subdivisions; 256P.02, by adding a subdivision; 256P.03, subdivision 1; 256P.04, subdivisions 1, 4; 256P.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 256P; repealing Minnesota Statutes 2014, sections 256D.0513; 256J.38; Minnesota Rules, part 3400.0170, subparts 5, 6, 12, 13.

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

Page 4, line 6, delete "Nonrecurring" and insert "Included" and delete "must" and insert "counted as income under section 256P.06, subdivision 3, are to"

Page 13, line 8, delete "reporting"

Page 16, line 11, after "member" insert ", with the exception of programs under chapter 119B"

Page 18, line 10, delete "MFIP"

Page 19, after line 10, insert:

"Sec. 34. EFFECTIVE DATE.

This act is effective August 1, 2016."

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

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

S.F. No. 1818: A bill for an act relating to health; permitting the commissioner of health to use the all-payer claims data to compile public use files of summary data; amending Minnesota Statutes 2014, section 62U.04, subdivision 11.

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

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

S.F. No. 1638: A bill for an act relating to campaign practices; modifying provisions relating to campaign practices hearings; clarifying noncommercial signs exemption; amending Minnesota Statutes 2014, sections 211B.045; 211B.34, subdivisions 1, 2; 211B.35, subdivision 1.

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

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

S.F. No. 887: A bill for an act relating to local government; authorizing statutory cities to set candidate filing fees by ordinance; amending Minnesota Statutes 2014, section 205.13, 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. Minnesota Statutes 2014, section 205.13, subdivision 3, is amended to read:

Subd. 3. **Filing fees.** ~~Unless the charter of a city provides the amount of the fee for filing an application or affidavit of candidacy for city office~~ (a) Except as otherwise provided in this section, the filing fee for a municipal office is as follows:

(a) (1) in first class cities, \$20;

(b) (2) in second and third class cities, \$5; and

(c) (3) in fourth class cities and towns, \$2.

(b) A home rule charter or statutory city may adopt, by ordinance, a filing fee of a different amount not to exceed the following:

(1) in first class cities, \$80;

(2) in second and third class cities, \$40; and

(3) in fourth class cities, \$15.

(c) A home rule charter city that sets filing fees by authority provided in city charter is not subject to the fee limits in this section."

Amend the title accordingly

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

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

S.F. No. 1456: A bill for an act relating to historical societies; creating employment and contracting provisions for historic conservation corps; amending Minnesota Statutes 2014, sections 177.43, subdivision 2; 268.035, subdivision 20; 471.59, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 138.

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

Page 1, line 7, delete "CONSERVATION" and insert "PRESERVATION"

Page 1, line 8, delete "conservation" and insert "preservation"

Page 1, line 9, delete "501(c)3" and insert "501(c)(3)"

Page 1, lines 12 and 16, delete "conservation" and insert "preservation"

Page 1, after line 17, insert:

"Subd. 3. **Limitations on Minnesota preservation corps projects.** Each employing state or local agency must certify that the assignment of Minnesota preservation corps members will not result in the displacement of currently employed workers or workers on seasonal layoff, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Supervising agencies that participate in the program may not terminate, lay off, reduce the seasonal hours, or reduce the working hours of any employee for the purpose of using a corps member with available funds. The positions and job duties of corps members employed in projects shall be submitted to affected exclusive representatives prior to actual assignment."

Page 2, line 2, delete "conservation" and insert "preservation"

Page 5, lines 21, 22, and 33, delete "conservation" and insert "preservation"

Amend the title as follows:

Page 1, line 3, delete "conservation" and insert "preservation"

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

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

S.F. No. 650: A bill for an act relating to local government; providing the town of Tofte with certain housing authority powers.

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

Page 1, line 13, delete everything after "for" and insert "individuals over 55 years of age or families with one member of the household that is over 55 years of age; or"

Page 1, delete line 14

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

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

S.F. No. 1784: A bill for an act relating to capital investment; requiring that certain equipment to accommodate hearing-impaired people be included in a capital improvement project using state funds; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Delete everything after the enacting clause and insert:

"Section 1. [16C.053] ACCOMMODATION FOR HARD-OF-HEARING IN STATE-FUNDED CAPITAL PROJECTS.

Subdivision 1. **Accommodation for hard-of-hearing in state-funded capital projects.** No commissioner or agency head may approve a contract for, or grant state funds for, a capital improvement project to construct or renovate a building unless:

(1) the project includes equipping public gathering space in the building with audio-induction loops to provide an electromagnetic signal for hearing aids and cochlear implants; and

(2) public gathering spaces in the building meet the American National Standards Institute Acoustical Performance Criteria, Design Requirements and Guidelines for Schools on maximum background noise level and reverberation times.

Subd. 2. **Exception.** A commissioner or agency head may approve a contract for, or grant state funds for, a capital improvement project to construct or renovate a building that does not meet the requirement of subdivision 1, clause (2), when the commissioner or agency head determines that it is not feasible, is in conflict with other requirements in law, or is in conflict with other project requirements. The commissioner will consult with the Commission of Deaf, Deafblind, and Hard-of-Hearing Minnesotans before making the determination.

Subd. 3. **Definition.** For purposes of this section, "public gathering space" means a space that is constructed or renovated as part of the project and that accommodates and is intended to be used for gatherings of 15 or more people."

Amend the title numbers accordingly

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

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

S.F. No. 1823: A bill for an act relating to state government; restructuring councils representing certain ethnic communities; creating a Department of Ethnic Affairs to strengthen three of the ethnic councils; transferring the ombudsperson program for families and children into the Department of Ethnic Affairs; appropriating money; amending Minnesota Statutes 2014, section 15.01; proposing coding for new law in Minnesota Statutes, chapter 3; proposing coding for new law as Minnesota Statutes, chapter 16F; repealing Minnesota Statutes 2014, sections 3.9223; 3.9225; 3.9226, subdivisions 1, 2, 3, 4, 5, 6, 7; 257.0755; 257.076; 257.0761; 257.0762; 257.0763; 257.0764; 257.0765; 257.0766; 257.0767; 257.0768; 257.0769.

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

Page 1, after line 24, insert:

"EFFECTIVE DATE. This section is effective October 30, 2015."

Page 2, line 18, after "following" insert "six"

Page 3, line 34, delete "executive director" and insert "commissioner"

Page 4, line 1, delete "executive director" and insert "commissioner of human services"

Page 4, line 28, delete "each body" and insert "the house of representatives and the senate in that year"

Page 4, after line 34, insert:

"EFFECTIVE DATE. This section is effective October 30, 2015."

Page 5, line 16, after "vacancies" insert "; chair"

Page 5, line 19, after the period, insert "The governor will designate one member of each commission to serve as chair."

Page 5, line 24, delete "The" and insert "Each"

Page 5, line 26, delete the second "and"

Page 5, line 27, after "represent" insert ", and versed on issues that impact the ethnic community the candidate would represent. In addition, the candidate must be of the community the candidate would represent"

Page 5, line 29, after "vacancy" insert "in an executive director position"

Page 5, line 32, after the period, insert "The chair shall convene"

Page 5, line 33, delete "must be held"

Page 6, after line 21, insert:

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

Page 6, line 24, after "personnel" insert "other than executive directors"

Page 6, after line 28, insert:

"EFFECTIVE DATE. This section is effective October 30, 2015."

Page 6, after line 34, insert:

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

Page 7, before line 1, insert:

"Sec. 6. REVISOR'S INSTRUCTION.

Within the chapters or sections governing each department, agency, and organization receiving funding from the state, add the following: "The department or agency or organization is required to coordinate its legislative priorities with the Department of Ethnic Affairs." Within the chapters governing each department, add the following: "The department must coordinate with the Department of Ethnic Affairs to ensure that communities of color are informed about new legislative initiatives; announcements of requests for proposals; implementation of existing policies, such as rulemaking, board appointments, and vacancies; and other measures that impact people of color."

EFFECTIVE DATE. This section is effective October 30, 2015."

Page 7, after line 3, insert:

"EFFECTIVE DATE. This section is effective October 30, 2015."

Page 8, line 16, delete "Association" and insert "System"

Page 11, delete section 12

Page 12, after line 7, insert:

"EFFECTIVE DATE. This article is effective October 30, 2015."

Page 16, after line 21, insert:

"EFFECTIVE DATE. This article is effective October 30, 2015."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 1676: A bill for an act relating to state government; contracts; grant management; amending Minnesota Statutes 2014, sections 16B.97, subdivision 1; 16B.98, subdivisions 1, 11.

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

Page 2, after line 8, insert:

"Sec. 4. Minnesota Statutes 2014, section 16C.144, is amended to read:

16C.144 GUARANTEED ENERGY-SAVINGS PROGRAM.

Subdivision 1. **Definitions.** The following definitions apply to this section.

- (a) "Utility" means electricity, natural gas, or other energy resource, water, and wastewater.
- (b) "Utility cost savings" means the difference between the utility costs after installation of the utility cost-savings measures pursuant to the guaranteed energy-savings agreement and the baseline utility costs after baseline adjustments have been made.
- (c) "Baseline" means the preagreement utilities, operations, and maintenance costs.
- (d) "Utility cost-savings measure" means a measure that produces utility cost savings or operation and maintenance cost savings.
- (e) "Operation and maintenance cost savings" means a measurable difference between operation and maintenance costs after the installation of the utility cost-savings measures pursuant to the guaranteed energy-savings agreement and the baseline operation and maintenance costs after inflation adjustments have been made. Operation and maintenance costs savings shall not include savings from in-house staff labor.
- (f) "Guaranteed energy-savings agreement" means an agreement for the installation of one or more utility cost-savings measures that includes the qualified provider's guarantee as required under subdivision 2.
- (g) "Baseline adjustments" means adjusting the utility cost-savings baselines annually for changes in the following variables:
 - (1) utility rates;
 - (2) number of days in the utility billing cycle;
 - (3) square footage of the facility;

- (4) operational schedule of the facility;
- (5) facility temperature set points;
- (6) weather; and
- (7) amount of equipment or lighting utilized in the facility.

(h) "Inflation adjustment" means adjusting the operation and maintenance cost-savings baseline annually for inflation.

(i) "~~Lease purchase agreement~~ Project financing" means ~~an agreement any type of financing including but not limited to lease, lease purchase, installment agreements, or bonds issued by an entity, other than the state, with authority to issue bonds, obligating the state to make regular lease payments to satisfy the lease costs of the utility cost-savings measures until the final payment, after which time the utility cost-savings measures become the sole property of the state of Minnesota.~~

(j) "Qualified provider" means a person or business experienced in the design, implementation, and installation of utility cost-savings measures.

(k) "Engineering report" means a report prepared by a professional engineer licensed by the state of Minnesota summarizing estimates of all costs of installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, repairs, and estimates of the amounts by which utility and operation and maintenance costs will be reduced.

(l) "Capital cost avoidance" means money expended by a state agency to pay for utility cost-savings measures with a guaranteed savings agreement so long as the measures that are being implemented to achieve the utility, operation, and maintenance cost savings are a significant portion of an overall project as determined by the commissioner.

(m) "Guaranteed energy-savings program guidelines" means policies, procedures, and requirements of guaranteed savings agreements established by the Department of Administration.

Subd. 2. **Guaranteed energy-savings agreement.** The commissioner may enter into a guaranteed energy-savings agreement with a qualified provider if:

(1) the qualified provider is selected through a competitive process in accordance with the guaranteed energy-savings program guidelines within the Department of Administration;

(2) the qualified provider agrees to submit an engineering report prior to the execution of the guaranteed energy-savings agreement. The cost of the engineering report may be considered as part of the implementation costs if the commissioner enters into a guaranteed energy-savings agreement with the provider;

(3) the term of the guaranteed energy-savings agreement shall not exceed 25 years from the date of final installation;

(4) the commissioner finds that the amount ~~it the state would spend, less the amount contributed for capital cost avoidance,~~ on the utility cost-savings measures recommended in the engineering report will not exceed the amount to be saved in utility operation and maintenance costs over 25 years from the date of implementation of utility cost-savings measures;

(5) the qualified provider provides a written guarantee that the annual utility, operation, and maintenance cost savings during the term of the guaranteed energy-savings agreement will meet

or exceed the annual payments due under ~~a lease purchase agreement~~ the project financing. The qualified provider shall reimburse the state for any shortfall of guaranteed utility, operation, and maintenance cost savings; and

(6) the qualified provider gives a sufficient bond in accordance with section 574.26 to the commissioner for the faithful implementation and installation of the utility cost-savings measures.

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

Subd. 4. **Use of capital cost avoidance.** The affected state agency may contribute funds for capital cost avoidance for guaranteed energy-savings agreements. Use of capital cost avoidance is subject to the guaranteed energy-savings program guidelines within the Department of Administration.

Subd. 5. **Independent report.** For each guaranteed energy-savings agreement entered into, the commissioner of administration shall contract with an independent third party to evaluate the cost-effectiveness of each utility cost-savings measure implemented to ensure that such measures were the least-cost measures available. For the purposes of this section, "independent third party" means an entity not affiliated with the qualified provider, that is not involved in creating or providing conservation project services to that provider, and that has expertise (or access to expertise) in energy-savings practices."

Amend the title as follows:

Page 1, line 2, delete "contracts; grant management;" and insert "making changes to state contracting; modifying grants contracting and the guaranteed energy-savings program;"

Amend the title numbers accordingly

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

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

S.F. No. 995: A bill for an act relating to education; providing for concurrent enrollment; appropriating money; amending Minnesota Statutes 2014, sections 120B.13, subdivision 4; 124D.09, subdivisions 5, 8, by adding subdivisions; 124D.091, subdivision 1.

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

Page 3, delete lines 10 to 15 and insert "and are members in the National Alliance of Concurrent Enrollment Partnerships (NACEP), must report all required NACEP evaluative survey results by September 1 of each year to the commissioners of the Office of Higher Education and the Department

of Education. The commissioners must report by December 1 of each year to the committees of the legislature having jurisdiction over early education through grade 12 education."

Page 3, delete lines 16 and 17 and insert:

"(b) Postsecondary institutions that have not adopted and implemented the NACEP program standards and required evidence for accreditation, are required to conduct an annual survey of concurrent enrolled students who successfully completed the course who are one year out of high school, beginning with the high school graduating class of 2016. By September 1 of each year, the postsecondary institutions must report the evaluative survey results to the commissioners of the Office of Higher Education and the Department of Education. The commissioner must report by December 1 of each year to the committees of the legislature having jurisdiction over early education through grade 12 education. The survey must include, at a minimum, the following student information:"

Page 3, delete lines 29 to 33

Page 4, delete lines 1 to 9

Page 5, after line 2, insert:

"(c) Members of the board serve without compensation.

(d) The board will report to the postsecondary institution periodically as requested by the postsecondary institution to provide advice and proposals described in paragraph (a).

(e) The postsecondary institution will provide administrative services and meeting space for the board to do its work.

(f) A board established under this section expires when the postsecondary institution no longer offers concurrent enrollment course offerings."

Page 5, after line 9, insert:

"Sec. 7. CONCURRENT ENROLLMENT ADVISORY BOARD FIRST APPOINTMENTS STAGGERED TERMS.

The postsecondary institution will appoint the first members by October 31, 2015. The postsecondary institution that establishes a concurrent enrollment advisory board shall designate the terms of the first members as follows: five members to serve a term of one year; five members to serve a term of two years; and six members to serve a term of three years."

Renumber the sections in sequence

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

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

S.F. No. 1794: A bill for an act relating to state government; classifying certain data of the Public Employment Relations Board; exempting the Public Employment Relations Board from the open meetings law, in certain cases; amending Minnesota Statutes 2014, sections 13.43, subdivision 6; 13D.01, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13.

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

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

S.F. No. 1304: A bill for an act relating to state government; creating a legislative budget office; amending Minnesota Statutes 2014, sections 3.98; 3.987, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2014, section 3.305, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) "Legislative commission" means a joint commission, committee, or other entity in the legislative branch composed exclusively of members of the senate and the house of representatives.

(b) "Joint offices" means the Revisor of Statutes, Legislative Reference Library, the Office of Legislative Auditor, the Legislative Budget Office, and any other joint legislative service office."

Page 1, line 10, delete "may" and insert "shall"

Page 1, line 11, delete everything after "director" and insert "who may hire staff necessary to do the work of the office. The director serves a term of six years and may not be removed during a term except for cause after a public hearing."

Page 3, line 10, delete "3" and insert "4"

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1822: A bill for an act relating to workers' compensation; modifying electronic transactions; authorizing penalties; amending Minnesota Statutes 2014, sections 176.135, by adding a subdivision; 176.221, subdivision 8.

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

Page 2, delete lines 34 and 35

Page 3, delete lines 1 and 2

Page 3, line 3, delete "(g)" and insert "(f)"

Page 3, line 4, delete "or rule adopted under paragraph (f)"

Page 4, line 24, delete "the day following final enactment" and insert "October 1, 2015"

Page 4, after line 24, insert:

"Sec. 3. Minnesota Statutes 2014, section 176.231, subdivision 1, is amended to read:

Subdivision 1. **Time limitation.** Where death or serious injury occurs to an employee during the course of employment, the employer shall report the injury or death to the commissioner and insurer within 48 hours after its occurrence. Where any other injury occurs which wholly or partly incapacitates the employee from performing labor or service for more than three calendar days, the employer shall report the injury to the insurer on a form prescribed by the commissioner within ten days from its occurrence. An insurer and self-insured employer shall report the injury to the commissioner no later than 14 days from its occurrence. Where an injury has once been reported but subsequently death ensues, the employer shall report the death to the commissioner and insurer within 48 hours after the employer receives notice of this fact. An employer who provides notice to the Occupational Safety and Health Division of the Department of Labor and Industry of a fatality within the eight-hour time frame required by law, or of an inpatient hospitalization of three or more employees, within the ~~eight-hour~~ 24-hour time frame required by law, has satisfied the employer's obligation under this section.

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

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "modifying death or injury reporting requirements;"

Amend the title numbers accordingly

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1371: A bill for an act relating to labor and industry; making housekeeping changes to the Construction Codes and Licensing Division; removing obsolete, redundant, and unnecessary laws and rules; making conforming changes; authorizing rulemaking; amending Minnesota Statutes 2014, sections 326B.092, subdivisions 3, 7; 326B.094, subdivisions 2, 3; 326B.098, by adding a subdivision; 326B.106, subdivisions 4, 7; 326B.109, subdivision 2; 326B.135, subdivision 4; 326B.139; 326B.164, subdivision 8; 326B.184, subdivision 2; 326B.194; 326B.33, subdivisions 6, 15; 326B.37, subdivision 11; 326B.46, subdivisions 1b, 2; 326B.49, subdivision 3; 326B.56, subdivision 1; 326B.701, subdivision 3; 326B.811, subdivision 1; 326B.84; 326B.86, subdivision 1; 326B.921, subdivision 5; 326B.978, by adding a subdivision; 326B.99, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2014, sections 16C.0745; 326B.091, subdivision 6; 326B.106, subdivision 10; 326B.169; 326B.181; 471.465; 471.466; 471.467; 471.468.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

CONSTRUCTION CODES AND LICENSING

Section 1. Minnesota Statutes 2014, section 326B.082, subdivision 11, is amended to read:

Subd. 11. **Licensing orders; grounds; reapplication.** (a) The commissioner may deny an application for a permit, license, registration, or certificate if the applicant does not meet or fails to maintain the minimum qualifications for holding the permit, license, registration, or certificate, or has any unresolved violations or unpaid fees or monetary penalties related to the activity for which the permit, license, registration, or certificate has been applied for or was issued.

(b) The commissioner may deny, suspend, limit, place conditions on, or revoke a person's permit, license, registration, or certificate, or censure the person holding or acting as qualifying person for the permit, license, registration, or certificate, if the commissioner finds that the person:

(1) committed one or more violations of the applicable law;

(2) submitted false or misleading information to the state in connection with activities for which the permit, license, registration, or certificate was issued, or in connection with the application for the permit, license, registration, or certificate;

(3) allowed the alteration or use of the person's own permit, license, registration, or certificate by another person;

(4) within the previous five years, was convicted of a crime in connection with activities for which the permit, license, registration, or certificate was issued;

(5) violated: (i) a final administrative order issued under subdivision 7, (ii) a final stop order issued under subdivision 10, (iii) injunctive relief issued under subdivision 9, or (iv) a consent order or final order of the commissioner;

(6) failed to cooperate with a commissioner's request to give testimony, to produce documents, things, apparatus, devices, equipment, or materials, or to access property under subdivision 2;

(7) retaliated in any manner against any employee or person who is questioned by, cooperates with, or provides information to the commissioner or an employee or agent authorized by the commissioner who seeks access to property or things under subdivision 2;

(8) engaged in any fraudulent, deceptive, or dishonest act or practice; or

(9) performed work in connection with the permit, license, registration, or certificate or conducted the person's affairs in a manner that demonstrates incompetence, untrustworthiness, or financial irresponsibility.

(c) If the commissioner revokes or denies a person's permit, license, registration, or certificate under paragraph (b), the person is prohibited from reapplying for the same type of permit, license, registration, or certificate for at least two years after the effective date of the revocation or denial. The commissioner may, as a condition of reapplication, require the person to obtain a bond or comply with additional reasonable conditions the commissioner considers necessary to protect the public.

(d) If a permit, license, registration, or certificate expires, or is surrendered, withdrawn, or terminated, or otherwise becomes ineffective, the commissioner may institute a proceeding under this subdivision within two years after the permit, license, registration, or certificate was last effective and enter a revocation or suspension order as of the last date on which the permit, license, registration, or certificate was in effect.

Sec. 2. [326B.0921] BOND REQUIREMENTS.

(a) All bonds that are required by this chapter must be in the form of a corporate surety bond conditioned upon the faithful and lawful performance of all work contracted for or performed in the state of Minnesota. The bond must be for the benefit of any person injured or suffering financial loss by reason of the licensee's failure to comply with the requirements of this chapter, the State Building Code, and all contracts entered into.

(b) The licensee must file the bond with the commissioner on the bond form provided by the commissioner. The bond must be in lieu of all other license bonds to any other political subdivision. The bond must be written by a corporate surety licensed to do business in the state of Minnesota.

(c) The penal sum of the bond is cumulative and must be aggregated every two years that the bond is in force. The aggregate liability shall be limited to the bond penalty shown on the bond form for each two-year period that the bond remains in effect for any losses that occur during each two-year period. The bond shall be effective continuously from the date of issue but may be canceled as to future liability by the surety upon 30 days' written notice mailed to the commissioner by certified mail. In the event the surety pays a claim that reduces the penal sum of the bond, the surety must notify the commissioner in writing of the payment of the claim and the reduced penal sum of the bond within 15 days of the payment of the claim.

(d) A licensee that is required to maintain a bond as a condition of licensure must ensure that it has a valid bond filed with the commissioner at all times that its license is active and that the required penal sum of the bond is maintained at all times.

Sec. 3. Minnesota Statutes 2014, section 326B.094, subdivision 2, is amended to read:

Subd. 2. **Availability of renewal.** A licensee may apply to renew a license no later than two years after the expiration of the license. If the department receives a complete renewal application no later than two years after the expiration of the license, then the department must approve or deny the renewal application within 60 days of receiving the complete renewal application. If the department receives a renewal application more than two years after the expiration of the license, the department must return the renewal license fee to the applicant without approving or denying the application. If the licensee wishes to obtain a valid license more than two years after expiration of the license, the licensee must apply for a new license. This section does not apply to a holder of a certificate of exemption issued under section 326B.805, subdivision 6, unlicensed individuals who register with the department under section 326B.33, subdivision 12, or 326B.47, or a mechanical contractor that files a bond with the department under section 326B.197.

Sec. 4. Minnesota Statutes 2014, section 326B.098, is amended by adding a subdivision to read:

Subd. 4. **Courses submitted by the state.** State agencies submitting courses for review that are intended for licensees regulated by the department are not required to pay the course approval fee. Courses must still be reviewed for appropriate credit in the designated license discipline. The department will act as sponsor for courses submitted by state agencies that are approved for continuing education.

Sec. 5. Minnesota Statutes 2014, section 326B.164, subdivision 8, is amended to read:

Subd. 8. **Bond required.** As a condition of licensing, each contractor shall give and maintain bond to the state in the penal sum of \$25,000, ~~conditioned upon the faithful and lawful performance~~

of all work contracted for or performed by the contractor within the state of Minnesota, and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. The bond shall be filed with the commissioner and shall be in lieu of all other license bonds to any other political subdivision. The bond shall be written by a corporate surety licensed to do business in the state of Minnesota. The bond must comply with section 326B.0921.

Sec. 6. Minnesota Statutes 2014, section 326B.184, subdivision 2, is amended to read:

Subd. 2. **Operating permits and fees; periodic inspections.** (a) No person may operate an elevator without first obtaining an annual operating permit from the department or a municipality authorized by subdivision 4 to issue annual operating permits. A \$100 annual operating permit fee must be paid to the department for each annual operating permit issued by the department, except that the original annual operating permit must be included in the permit fee for the initial installation of the elevator. Annual operating permits must be issued at 12-month intervals from the date of the initial annual operating permit. For each subsequent year, an owner must be granted an annual operating permit for the elevator upon the owner's or owner's agent's submission of a form prescribed by the commissioner and payment of the \$100 fee. Each form must include the location of the elevator, the results of any periodic test required by the code, and any other criteria established by rule. An annual operating permit may be revoked by the commissioner upon an audit of the periodic testing results submitted with the application or a failure to comply with elevator code requirements, inspections, or any other law related to elevators. Except for an initial operating permit fee, elevators in residential dwellings, hand-powered manlifts and electric endless belt manlifts, and vertical reciprocating conveyors are not subject to a subsequent operating permit fee.

(b) All elevators are subject to periodic inspections by the department or a municipality authorized by subdivision 4 to perform periodic inspections, except that hand-powered manlifts and electric endless belt manlifts are exempt from periodic inspections. Periodic inspections by the department shall be performed at the following intervals:

- (1) a special purpose personnel elevator is subject to inspection not more than once every five years;
- (2) an elevator located within a house of worship that does not have attached school facilities is subject to inspection not more than once every three years; and
- (3) all other elevators are subject to inspection not more than once each year.

Sec. 7. Minnesota Statutes 2014, section 326B.33, subdivision 6, is amended to read:

Subd. 6. **Bond.** Every Class A and Class B installer, as a condition of licensure, shall give bond to the state in the penal sum of \$1,000 conditioned upon the faithful and lawful performance of all work contracted for or entered upon by the installer within the state of Minnesota, and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. Such bond shall be in lieu of all other license bonds to any political subdivision of the state. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota. The bond must comply with section 326B.0921.

Sec. 8. Minnesota Statutes 2014, section 326B.33, subdivision 15, is amended to read:

Subd. 15. **Bond required.** As a condition of licensing, each contractor shall give and maintain bond to the state in the penal sum of \$25,000 conditioned upon the faithful and lawful performance

~~of all work contracted for or performed by the contractor within the state of Minnesota and such bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of such performance. The bond shall be filed with the commissioner and shall be in lieu of all other license bonds to any other political subdivision. Such bond shall be written by a corporate surety licensed to do business in the state of Minnesota. The bond must comply with section 326B.0921.~~

Sec. 9. Minnesota Statutes 2014, section 326B.37, subdivision 11, is amended to read:

Subd. 11. **Inspection of transitory project.** (a) For inspection of transitory projects including, but not limited to, festivals, fairs, carnivals, circuses, shows, production sites, and portable road construction plants, the inspection procedures and fees are as specified in paragraphs (b) to (i).

(b) The fee for inspection of each generator or other source of supply is that specified in subdivision 3. A like fee is required at each engagement or setup.

(c) In addition to the fee for generators or other sources of supply, there must be an inspection of all installed feeders, circuits, and equipment at each engagement or setup at the hourly rate specified in subdivision 10, with a one-hour minimum.

(d) An owner, operator, or appointed representative of a transitory enterprise including, but not limited to, festivals, fairs, carnivals, circuses, production companies, shows, portable road construction plants, and similar enterprises shall notify the commissioner of its itinerary or schedule and make application for initial inspection a minimum of 14 days before its first engagement or setup. An owner, operator, or appointed representative of a transitory enterprise who fails to notify the commissioner 14 days before its first engagement or setup may be subject to the investigation fees specified in subdivision 7. The owner, operator, or appointed representative shall request inspection and pay the inspection fee for each subsequent engagement or setup at the time of the initial inspection. For subsequent engagements or setups not listed on the itinerary or schedule submitted to the commissioner and where the commissioner is not notified at least 48 hours in advance, a charge of \$100 may be made in addition to all required fees.

(e) Amusement rides, devices, concessions, attractions, or other units must be inspected at their first appearance of the year. The inspection fee is \$35 per unit with a supply of up to 60 amperes and \$40 per unit with a supply above 60 amperes.

(f) An additional fee at the hourly rate specified in subdivision 10 must be charged for additional time spent by each inspector if equipment is not ready or available for inspection at the time and date specified on the application for initial inspection or the request for electrical inspection form.

(g) In addition to the fees specified in paragraphs ~~(a)~~ and (b) and (c), a fee of one hour at the hourly rate specified in subdivision 10 must be charged for inspections required to be performed on Saturdays, Sundays, holidays, or after regular business hours.

(h) The fee for reinspection of corrections or supplemental inspections where an additional trip is necessary may be assessed as specified in subdivision 8.

(i) The commissioner shall retain the inspection fee when an owner, operator, or appointed representative of a transitory enterprise fails to notify the commissioner at least 48 hours in advance of a scheduled inspection that is canceled.

Sec. 10. Minnesota Statutes 2014, section 326B.46, subdivision 1b, is amended to read:

Subd. 1b. **Employment of master plumber or restricted master plumber.** (a) Each contractor must designate a responsible licensed plumber, who shall be responsible for the performance of all plumbing work in accordance with sections 326B.41 to 326B.49, all rules adopted under these sections and sections 326B.50 to 326B.59, and all orders issued under section 326B.082. A plumbing contractor's responsible individual must be a master plumber. A restricted plumbing contractor's responsible individual must be a master plumber or a restricted master plumber. A plumbing contractor license authorizes the contractor to offer to perform and, through licensed and registered individuals, to perform plumbing work in all areas of the state. A restricted plumbing contractor license authorizes the contractor to offer to perform and, through licensed and registered individuals, to perform plumbing work in all areas of the state except in cities and towns with a population of more than 5,000 according to the last federal census.

(b) If the contractor is an individual or sole proprietorship, the responsible licensed individual must be the individual, proprietor, or managing employee. If the contractor is a partnership, the responsible licensed individual must be a general partner or managing employee. If the contractor is a limited liability company, the responsible licensed individual must be a chief manager or managing employee. If the contractor is a corporation, the responsible licensed individual must be an officer or managing employee. If the responsible licensed individual is a managing employee, the responsible licensed individual must be actively engaged in performing plumbing work on behalf of the contractor, and cannot be employed in any capacity as a plumber for any other contractor. An individual may be the responsible licensed individual for only one contractor.

(c) All applications and renewals for contractor licenses shall include a verified statement that the applicant or licensee has complied with this subdivision.

(d) Upon the departure or disqualification of a licensee's responsible licensed individual because of death, disability, retirement, position change, or other reason, the licensee must notify the commissioner within 15 business days. The licensee shall have 60 days from the departure of the responsible licensed individual to obtain a new responsible licensed individual. Failure to secure a new responsible licensed individual within 60 days will, with or without notice, result in the voluntary termination of the license.

Sec. 11. Minnesota Statutes 2014, section 326B.46, subdivision 2, is amended to read:

Subd. 2. **Bond; insurance.** (a) The bond and insurance requirements of paragraphs (b) and (c) apply to each person who performs or offers to perform plumbing work within the state, including any person who offers to perform or performs sewer or water service installation without a contractor's license. If the person performs or offers to perform any plumbing work other than sewer or water service installation, then the person must meet the requirements of paragraphs (b) and (c) as a condition of holding a contractor's license.

(b) Each person who performs or offers to perform plumbing work within the state shall give and maintain bond to the state in the ~~amount~~ penal sum of at least \$25,000 for (1) all plumbing work entered into within the state or (2) all plumbing work and subsurface sewage treatment work entered into within the state. If the bond is for both plumbing work and subsurface sewage treatment work, the bond must comply with the requirements of this section and section 115.56, subdivision 2, paragraph (e). ~~The bond shall be for the benefit of persons injured or suffering financial loss by reason of failure to comply with the requirements of the State Plumbing Code and, if the bond is for both plumbing work and subsurface sewage treatment work, financial loss by reason of failure to comply with the requirements of sections 115.55 and 115.56. The bond shall be filed with the~~

~~commissioner and shall be written by a corporate surety licensed to do business in the state. The bond must comply with section 326B.0921.~~

(c) Each person who performs or offers to perform plumbing work within the state shall have and maintain in effect public liability insurance, including products liability insurance with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The insurance shall be written by an insurer licensed to do business in the state of Minnesota. Each person who performs or offers to perform plumbing work within the state shall maintain on file with the commissioner a certificate evidencing the insurance. In the event of a policy cancellation, the insurer shall send written notice to the commissioner at the same time that a cancellation request is received from or a notice is sent to the insured.

Sec. 12. Minnesota Statutes 2014, section 326B.49, subdivision 3, is amended to read:

Subd. 3. **Permits; fees.** (a) Before commencement of a plumbing installation to be inspected by the commissioner, the plumbing contractor or registered plumbing employer performing the plumbing work must submit to the commissioner an application for a permit and the permit and inspection fees in paragraphs (b) to (f).

(b) The permit fee is \$100.

(c) The residential inspection fee is \$50 for each inspection trip.

(d) The public, commercial, and industrial inspection fees are as follows:

(1) for systems with water distribution, drain, waste, and vent system connection:

(i) \$25 for each fixture, permanently connected appliance, floor drain, or other appurtenance;

(ii) \$25 for each water conditioning, water treatment, or water filtration system; and

(iii) \$25 for each interceptor, separator, catch basin, or manhole;

(2) roof drains, \$25 for each drain;

(3) building sewer service only, \$100;

(4) building water service only, \$100;

(5) building water distribution system only, no drainage system, \$5 for each fixture supplied;

(6) storm drainage system, a minimum fee of \$25 for each drain opening, interceptor, separator, or catch basin;

(7) manufactured home park or campground, \$25 for each site;

(8) reinspection fee to verify corrections, regardless of the total fee submitted, \$100 for each reinspection; and

(9) each \$100 in fees paid covers one inspection trip.

(e) In addition to the fees in paragraph ~~(c)~~ (d), the fee submitter must pay an hourly rate of \$80 during regular business hours, or \$120 when inspections are requested to be performed outside of normal work hours or on weekends and holidays, with a two-hour minimum where the fee submitter requests inspections of installations as systems are being installed.

(f) The fee submitter must pay a fee equal to two hours at the hourly rate of \$80 when inspections scheduled by the submitter are not able to be completed because the work is not complete.

Sec. 13. Minnesota Statutes 2014, section 326B.56, subdivision 1, is amended to read:

Subdivision 1. **Bonds.** (a) As a condition of licensing, each water conditioning contractor shall give and maintain a bond to the state as described in paragraph (b). No applicant for a water conditioning contractor license who maintains the bond under paragraph (b) shall be otherwise required to meet the bond requirements of any political subdivision.

(b) Each bond given to the state under this subdivision shall be in the ~~total penal~~ sum of \$3,000 conditioned upon the faithful and lawful performance of all water conditioning installation or servicing done within the state. The bond shall be for the benefit of persons suffering injuries or damages due to the work. The bond shall be filed with the commissioner and shall be written by a corporate surety licensed to do business in this state. The bond must remain in effect at all times while the application is pending and while the license is in effect and must comply with section 326B.0921.

Sec. 14. Minnesota Statutes 2014, section 326B.701, subdivision 3, is amended to read:

Subd. 3. **Registration application.** (a) Persons required to register under this section must submit electronically, in the manner prescribed by the commissioner, a complete application according to paragraphs (b) to (d).

(b) A complete application must include all of the following information about any individual who is registering as an individual or a sole proprietor, or who owns 25 percent or more of a business entity being registered:

- (1) the individual's full legal name and title at the applicant's business;
- (2) the individual's business address and telephone number;
- (3) the percentage of the applicant's business owned by the individual; and
- (4) the individual's Social Security number.

(c) A complete application must also include the following information:

(1) the applicant's legal name; assumed name filed with the secretary of state, if any; designated business address; physical address; telephone number; and e-mail address;

(2) the applicant's Minnesota tax identification number, if one is required or has been issued;

(3) the applicant's federal employer identification number, if one is required or has been issued;

(4) evidence of the active status of the applicant's business filings with the secretary of state, if one is required or has been issued;

(5) whether the applicant has any employees at the time the application is filed;

(6) the names of all other persons with an ownership interest in the business entity who are not identified in paragraph (b), and the percentage of the interest owned by each person, except that the names of shareholders with less than ten percent ownership in a publicly traded corporation need not be provided;

(7) information documenting compliance with workers' compensation and unemployment insurance laws;

(8) a certification that the person signing the application has: reviewed it; determined that the information provided is true and accurate; and determined that the person signing is authorized to sign and file the application as an agent of the applicant. The name of the person signing, entered on an electronic application, shall constitute a valid signature of the agent on behalf of the applicant; and

(9) a signed authorization for the Department of Labor and Industry to verify the information provided on or with the application.

(d) A registered person must notify the commissioner within 15 days after there is a change in any of the information on the application as approved. This notification must be provided electronically in the manner prescribed by the commissioner. However, if the business entity structure, or legal form of the business entity, or business ownership has changed, the person must submit a new registration application and registration fee, if any, for the new business entity.

(e) The registered person must remain registered while providing construction services for another person. The provisions of sections 326B.091, 326B.094, 326B.095, and 326B.097 apply to this section. A person with an expired registration shall not provide construction services for another person if registration is required under this section. Registration application and expiration time frames are as follows:

(1) all registrations issued on or before ~~June 30~~ December 31, 2015, expire on ~~June 30~~ December 31, 2015;

(2) all registrations issued after ~~June 30~~ December 31, 2015, expire on the following ~~June 30~~ December 31 of each odd-numbered year; and

(3) a person may submit a registration or renewal application starting ~~April~~ October 1 of the year the registration expires. If a renewal application is submitted later than ~~May~~ December 1 of the expiration year, registration may expire before the department has issued or denied the registration.

Sec. 15. Minnesota Statutes 2014, section 326B.811, subdivision 1, is amended to read:

Subdivision 1. **Required.** A person who has entered into a written contract with a residential building contractor, residential remodeler, or residential roofer ~~or a siding contractor registered under section 326B.802, subdivision 15~~, to provide goods and services to be paid by the insured from the proceeds of a property or casualty insurance policy has the right to cancel the contract within 72 hours after the insured has been notified by the insurer that the claim has been denied. Cancellation is evidenced by the insured giving written notice of cancellation to the contractor at the address stated in the contract. Notice of cancellation, if given by mail, is effective upon deposit in a mailbox, properly addressed to the contractor and postage prepaid. Notice of cancellation need not take a particular form and is sufficient if it indicates, by any form of written expression, the intention of the insured not to be bound by the contract.

Sec. 16. Minnesota Statutes 2014, section 326B.84, is amended to read:

326B.84 GROUNDS FOR SANCTIONS.

The commissioner may use any enforcement provision in section 326B.082 against an applicant for, ~~qualifying person of,~~ or holder of a license or certificate of exemption, if the applicant, licensee, certificate of exemption holder, qualifying person, or owner, officer, member, managing employee, or affiliate of the applicant, licensee, or certificate of exemption holder:

(1) has filed an application for licensure or a certificate of exemption which is incomplete in any material respect or contains any statement which, in light of the circumstances under which it is made, is false or misleading with respect to any material fact;

(2) has engaged in a fraudulent, deceptive, or dishonest practice;

(3) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the business;

(4) has failed to reasonably supervise employees, agents, subcontractors, or salespersons, or has performed negligently or in breach of contract, so as to cause injury or harm to the public;

(5) has violated or failed to comply with any provision of sections 326B.802 to 326B.885, any rule or order under sections 326B.802 to 326B.885, or any other law, rule, or order related to the duties and responsibilities entrusted to the commissioner;

(6) has been convicted of a violation of the State Building Code or has refused to comply with a ~~notice of violation or stop~~ correction order issued by a certified building official, or in local jurisdictions that have not adopted the State Building Code has refused to correct a violation of the State Building Code when the violation has been documented ~~or a notice of violation or stop order issued~~ by a certified building official ~~has been received~~;

(7) has failed to use the proceeds of any payment made to the licensee for the construction of, or any improvement to, residential real estate, as defined in section 326B.802, subdivision 13, for the payment of labor, skill, material, and machinery contributed to the construction or improvement, knowing that the cost of any labor performed, or skill, material, or machinery furnished for the improvement remains unpaid;

(8) has not furnished to the person making payment either a valid lien waiver as to any unpaid labor performed, or skill, material, or machinery furnished for an improvement, or a payment bond in the basic amount of the contract price for the improvement conditioned for the prompt payment to any person or persons entitled to payment;

(9) has engaged in an act or practice that results in compensation to an aggrieved owner or lessee from the contractor recovery fund pursuant to section 326B.89, unless:

(i) the applicant or licensee has repaid the fund twice the amount paid from the fund, plus interest at the rate of 12 percent per year; and

(ii) the applicant or licensee has obtained a surety bond in the amount of at least \$40,000, issued by an insurer authorized to transact business in this state;

(10) has engaged in bad faith, unreasonable delays, or frivolous claims in defense of a civil lawsuit or arbitration arising out of their activities as a licensee or certificate of exemption holder under this chapter;

(11) has had a judgment entered against them for failure to make payments to employees, subcontractors, or suppliers, that the licensee has failed to satisfy and all appeals of the judgment have been exhausted or the period for appeal has expired;

(12) if unlicensed, has obtained a building permit by the fraudulent use of a fictitious license number or the license number of another, or, if licensed, has knowingly allowed an unlicensed person to use the licensee's license number for the purpose of fraudulently obtaining a building permit; or has applied for or obtained a building permit for an unlicensed person;

(13) has made use of a forged mechanic's lien waiver under chapter 514;

(14) has provided false, misleading, or incomplete information to the commissioner or has refused to allow a reasonable inspection of records or premises;

(15) has engaged in an act or practice whether or not the act or practice directly involves the business for which the person is licensed, that demonstrates that the applicant or licensee is untrustworthy, financially irresponsible, or otherwise incompetent or unqualified to act under the license granted by the commissioner; or

(16) has failed to comply with requests for information, documents, or other requests from the department within the time specified in the request or, if no time is specified, within 30 days of the mailing of the request by the department.

Sec. 17. Minnesota Statutes 2014, section 326B.86, subdivision 1, is amended to read:

Subdivision 1. **Bond.** (a) Licensed manufactured home installers and licensed residential roofers must ~~post give and maintain a biennial surety bond in the name of the licensee with the commissioner, conditioned that the applicant shall faithfully perform the duties and in all things comply with all laws, ordinances, and rules pertaining to the license or permit applied for and all contracts entered into. The biennial bond must be continuous and maintained for so long as the licensee remains licensed. The aggregate liability of the surety on the bond to any and all persons, regardless of the number of claims made against the bond, may not exceed the amount of the bond. The bond may be canceled as to future liability by the surety upon 30 days' written notice mailed to the commissioner by regular mail: to the state. The bond must comply with section 326B.0921.~~

(b) A licensed residential roofer must post a bond with a penal sum of at least \$15,000.

(c) A licensed manufactured home installer must post a bond with a penal sum of at least \$2,500.

Bonds issued under sections 326B.802 to 326B.885 are not state bonds or contracts for purposes of sections 8.05 and 16C.05, subdivision 2.

Sec. 18. Minnesota Statutes 2014, section 326B.921, subdivision 5, is amended to read:

Subd. 5. **Bond.** As a condition of licensing, each applicant for a high pressure piping business license ~~or renewal~~ shall give and maintain a bond to the state in the total sum of \$15,000 conditioned upon the faithful and lawful performance of all work contracted for or performed within the state. The bond shall run to and be for the benefit of persons injured or suffering financial loss by reason

of failure of payment or performance. Claims and actions on the bond may be brought according to sections 574.26 to 574.38.

The term of the bond must be concurrent with the term of the high pressure pipefitting business license and run without interruption from the date of the issuance of the license to the end of the calendar year. All high pressure pipefitting business licenses must be annually renewed on a calendar year basis.

The bond must be filed with the department and shall be in lieu of any other business license bonds required by any political subdivision for high pressure pipefitting. The bond must be written by a corporate surety licensed to do business in the state.

Sec. 19. Minnesota Statutes 2014, section 326B.99, subdivision 2, is amended to read:

Subd. 2. **Exemption.** Every boiler or pressure vessel as to which any insurance company authorized to do business in this state has issued a policy of insurance, after the inspection thereof, is exempt from inspection by the department made under sections 326B.93 to 326B.998, except the initial inspection by the department under section ~~326B.96~~ 326B.958, subdivision 1, paragraph (b), as long as:

- (1) the boiler or pressure vessel continues to be insured;
- (2) the boiler or pressure vessel continues to be inspected in accordance with the inspection schedule in sections 326B.958 and 326B.96; and
- (3) the person owning or operating the boiler or pressure vessel has an unexpired certificate of registration.

ARTICLE 2

OSHA SAFE PATIENT HANDLING

Section 1. Minnesota Statutes 2014, section 182.6552, subdivision 2, is amended to read:

Subd. 2. **Health care facility.** "Health care facility" means a hospital as ~~defined in section 144.50, subdivision 2~~ with a North American Industrial Classification system code of 622110, 622210, or 622310; an outpatient surgical center as ~~defined in section 144.55, subdivision 2~~ with a North American Industrial Classification system code of 621493; and a nursing home as ~~defined in section 144A.01, subdivision 5~~ with a North American Industrial Classification system code of 623110.

ARTICLE 3

OFFICE OF COMBATIVE SPORTS

Section 1. Minnesota Statutes 2014, section 341.21, subdivision 2a, is amended to read:

Subd. 2a. **Combatant.** "Combatant" means an individual who employs the act of attack and defense as a boxer, tough person, martial artist, or mixed martial artist while engaged in a combative sport.

Sec. 2. Minnesota Statutes 2014, section 341.21, subdivision 4, is amended to read:

Subd. 4. **Combative sports contest.** "Combative sports contest" means a professional boxing, a professional or amateur tough person, or a professional or amateur martial art contest or mixed martial art arts contest, bout, competition, match, or exhibition.

Sec. 3. Minnesota Statutes 2014, section 341.21, subdivision 4f, is amended to read:

Subd. 4f. **Mixed martial arts contest.** "Mixed martial arts contest" means a combat sport in which combatants are permitted to use a wide range of fighting techniques and is a contest between two or more individuals consisting of any combination of two or more full contact martial art including, but not limited to, Muay Thai and karate, kickboxing, wrestling, grappling, or other recognized martial art disciplines.

Sec. 4. Minnesota Statutes 2014, section 341.21, is amended by adding a subdivision to read:

Subd. 4h. **Martial art.** "Martial art" means a variety of weaponless disciplines of combat or self-defense that utilize physical skill and coordination, and are practiced as combat sports. The disciplines include, but are not limited to, Wing Chun, kickboxing, Tae kwon do, savate, karate, Muay Thai, sanshou, Jiu Jitsu, judo, ninjitsu, kung fu, Brazilian Jiu Jitsu, wrestling, grappling, tai chi, and other weaponless martial arts disciplines.

Sec. 5. Minnesota Statutes 2014, section 341.21, subdivision 7, is amended to read:

Subd. 7. **Tough person contest.** "Tough person contest," including contests marketed as tough man or tough woman contests, means a contest of two-minute rounds consisting of not more than four rounds between two or more individuals who use their hands, or their feet, or both in any manner. Tough person contest does not include includes kickboxing or any and other recognized martial arts art contest.

Sec. 6. Minnesota Statutes 2014, section 341.28, subdivision 3, is amended to read:

Subd. 3. **Regulatory authority; mixed martial arts contests; similar sporting events.** All professional and amateur mixed martial arts contests, martial arts contests except amateur contests regulated by the Minnesota State High School League (MSHSL), recognized martial arts studios and schools in Minnesota, and recognized national martial arts organizations holding contests between students, ultimate fight contests, and similar sporting events are subject to this chapter and all officials at these events must be licensed under this chapter.

Sec. 7. Minnesota Statutes 2014, section 341.29, is amended to read:

341.29 JURISDICTION OF COMMISSIONER.

The commissioner shall:

(1) have sole direction, supervision, regulation, control, and jurisdiction over all combative sport contests that are held within this state unless a contest is exempt from the application of this chapter under federal law;

(2) have sole control, authority, and jurisdiction over all licenses required by this chapter;

(3) grant a license to an applicant if, in the judgment of the commissioner, the financial responsibility, experience, character, and general fitness of the applicant are consistent with the public interest, convenience, or necessity and the best interests of combative sports and conforms with this chapter and the commissioner's rules; ~~and~~

(4) deny, suspend, or revoke a license using the enforcement provisions of section 326B.082-, except that the licensing reapplication time frames remain within the sole discretion of the commissioner; and

(5) serve final nonlicensing orders in performing the duties of this chapter which are subject to the contested case procedures provided in sections 14.57 to 14.69.

Sec. 8. Minnesota Statutes 2014, section 341.30, subdivision 1, is amended to read:

Subdivision 1. **Licensure; individuals.** All referees, judges, promoters, trainers, ring announcers, timekeepers, ringside physicians, combatants, managers, and seconds are required to be licensed by the commissioner. The commissioner shall not permit any of these persons to participate in ~~the holding or conduct of any matter with~~ any combative sport contest unless the commissioner has first issued the person a license.

Sec. 9. Minnesota Statutes 2014, section 341.30, subdivision 2, is amended to read:

Subd. 2. **Entity licensure.** Before participating in the holding, promoting, or ~~conducting~~ conducting of any combative sport contest, a corporation, partnership, limited liability company, or other business entity organized and existing under law, ~~its officers and directors, and any person holding 25 percent or more of the ownership of the corporation~~ shall obtain a license from the commissioner and must be authorized to do business under the laws of this state.

Sec. 10. Minnesota Statutes 2014, section 341.30, subdivision 4, is amended to read:

Subd. 4. **Prelicensure requirements.** (a) Before the commissioner issues a promoter's license to a ~~promoter~~ an individual, corporation, or other business entity, the applicant shall, a minimum of six weeks before the combative sport contest is scheduled to occur, complete a licensing application on the Office of Combative Sports Web site or on forms furnished or approved by the commissioner and shall:

(1) provide the commissioner with a copy of any agreement between a combatant and the applicant that binds the applicant to pay the combatant a certain fixed fee or percentage of the gate receipts;

(2) show on the licensing application the owner or owners of the applicant entity and the percentage of interest held by each owner holding a 25 percent or more interest in the applicant;

(3) provide the commissioner with a copy of the latest financial statement of the entity applicant;
and

(4) provide the commissioner with a copy or other proof acceptable to the commissioner of the insurance contract or policy required by this chapter;

(5) provide proof, where applicable, of authorization to do business in the state of Minnesota;
and

~~(b) Before the commissioner issues a license to a promoter, the applicant shall~~ (6) deposit with the commissioner a cash bond or surety bond in an amount set by the commissioner, which must not be less than \$10,000. The bond shall be executed in favor of this state and shall be conditioned on the faithful performance by the promoter of the promoter's obligations under this chapter and the rules adopted under it. ~~An applicant for a license as a promoter and licensed promoters shall~~

~~submit an application for each event a minimum of six weeks before the combative sport contest is scheduled to occur.~~

(e) (b) Before the commissioner issues a license to a combatant, the applicant shall:

(1) submit to the commissioner:

~~(1) a mixed martial arts combatant national identification number or federal boxing identification number that is unique to the applicant, or both; and~~

~~(2) the results of a current medical examination on forms furnished or approved by the commissioner. The medical examination must include an ophthalmological and neurological examination, and documentation of test results for HBV, HCV, and HIV, and any other blood test as the commissioner by rule may require. The ophthalmological examination must be designed to detect any retinal defects or other damage or condition of the eye that could be aggravated by combative sports. The neurological examination must include an electroencephalogram or medically superior test if the combatant has been knocked unconscious in a previous contest. The commissioner may also order an electroencephalogram or other appropriate neurological or physical examination before any contest if it determines that the examination is desirable to protect the health of the combatant. The commissioner shall not issue a license to an applicant submitting positive test results for HBV, HCV, or HIV;~~

(2) complete a licensing application on the Office of Combative Sports Web site or on forms furnished or approved by the commissioner; and

(3) provide proof that the applicant is 18 years of age. Acceptable proof is a photo driver's license, state photo identification card, passport, or birth certificate combined with additional photo identification.

Sec. 11. Minnesota Statutes 2014, section 341.32, subdivision 1, is amended to read:

Subdivision 1. **Annual licensure.** The commissioner may establish and issue annual licenses subject to the collection of advance fees by the commissioner for promoters, managers, judges, referees, ring announcers, ringside physicians, timekeepers, combatants, trainers, and seconds; ~~business entities filing for a license to participate in the holding of any contest, and officers, directors, or other persons affiliated with the business entity.~~

Sec. 12. Minnesota Statutes 2014, section 341.32, subdivision 2, is amended to read:

Subd. 2. **Expiration and renewal application.** Licenses expire annually on December 31, ~~and may be renewed.~~ A license may be applied for each year by filing an application for ~~renewal with the commissioner~~ licensure and satisfying all licensure requirements established in section 341.30, and ~~submitting payment of the license fees established in section 341.321.~~ An application for a license and renewal of a license must be on a form provided by the commissioner. ~~There is a 30-day grace period during which a license may be renewed if a late filing penalty fee equal to the license fee is submitted with the regular license fee. A licensee that files late shall not conduct any activity regulated by this chapter until the commissioner has renewed the license. If the licensee fails to apply to the commissioner within the 30-day grace period, the licensee must apply for a new license under subdivision 1.~~

Sec. 13. Minnesota Statutes 2014, section 341.33, is amended to read:

341.33 PHYSICAL EXAMINATION REQUIRED; FEES.

Subdivision 1. **Examination by physician.** All combatants must be examined by a physician licensed by this state within 36 hours before entering the ring, and the examining physician shall immediately file with the commissioner a written report of the examination. The physician's examination may report on the condition of the combatant's heart and general physical and general neurological condition. The physician's report may record the condition of the combatant's nervous system and brain as required by the commissioner. The physician may prohibit the combatant from entering the ring if, in the physician's professional opinion, it is in the best interest of the combatant's health. The cost of the examination is payable by the person or entity promoter conducting the contest or exhibition.

Subd. 2. **Attendance of physician.** A person promoter holding or sponsoring a combative sport contest shall have in attendance a physician licensed by this state. The commissioner may establish a schedule of fees to be paid to each attending physician by the person promoter holding or sponsoring the contest.

Sec. 14. **REVISOR'S INSTRUCTION.**

The revisor shall renumber the subdivisions in Minnesota Statutes, section 341.21, so that the definitions appear in alphabetical order. The revisor shall make any cross-reference changes necessary as a result of the renumbering.

ARTICLE 4

APPRENTICESHIPS

Section 1. Minnesota Statutes 2014, section 178.03, subdivision 3, is amended to read:

Subd. 3. **Duties and functions.** (a) The division shall be administered as prescribed by this chapter and in accordance with Code of Federal Regulations, title 29, part 29; to promote equal employment opportunity in apprenticeship and other on-the-job learning and to establish a Minnesota plan for equal employment opportunity in apprenticeship which shall be consistent with standards established under Code of Federal Regulations, title 29, part 30, as amended.

(b) The division shall have the authority to make wage determinations applicable to the graduated schedule of wages and journeyworker wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeyworkers that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.

(c) The division shall:

(1) issue certificates of registration to sponsors of approved apprenticeship programs;

(2) approve apprenticeship agreements if the division determines that approval is in the best interest of the apprentice and the agreement meets the standards established in this chapter;

(3) terminate any apprenticeship agreement according to the provisions of the agreement and this chapter;

(4) maintain a record of apprenticeship agreements and their disposition;

(5) issue certificates of completion of apprentices; and

(6) perform other duties as the commissioner deems necessary to carry out the intent of this chapter.

Sec. 2. Minnesota Statutes 2014, section 178.07, is amended to read:

178.07 REGISTERED APPRENTICESHIP AGREEMENTS.

Subdivision 1. **Approval required.** (a) The division shall approve, if it determines that it is in the best interest of the apprentice, an apprenticeship agreement that meets the standards established in this section.

(b) All terminations, cancellations, and transfers of apprenticeship agreements shall be approved by the division in writing. The division must be notified in writing by the sponsor within 45 days of all terminations, cancellations, or transfer of apprenticeship agreements.

Subd. 2. **Signatures required.** Apprenticeship agreements shall be signed by the division, the sponsor, and by the apprentice, and if the apprentice is a minor, by a parent or legal guardian. When a minor enters into an apprenticeship agreement under this chapter for a period of learning extending into majority, the apprenticeship agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

Subd. 3. **Contents.** Every apprenticeship agreement entered into under this chapter shall contain:

(1) the names of the contracting parties, and the signatures required by subdivision 1 2;

(2) the date of birth, and information as to the race and sex of the apprentice, and, on a voluntary basis, the apprentice's Social Security number;

(3) contact information of the sponsor and the division;

(4) a statement of the trade or occupation which the apprentice is to be taught, the date on which the apprenticeship will begin, and the number of hours to be spent by the apprentice in work and the number of hours to be spent in concurrent, related instruction;

(5) a statement of the wages to be paid the apprentice under sections 178.036, subdivision 2 6, ~~paragraph (e)~~; and 178.044, as applicable;

(6) a statement listing any fringe benefits to be provided to the apprentice;

(7) a statement incorporating as part of the agreement the registered standards of the apprenticeship program on the date of the agreement and as they may be amended during the period of the agreement;

(8) a statement that the apprentice will be accorded equal opportunity in all phases of apprenticeship employment and training, without discrimination due to race, color, creed, religion, national origin, sex, sexual orientation, marital status, physical or mental disability, receipt of public assistance, or age; and

(9) such additional terms and conditions as may be prescribed or approved by the commissioner not inconsistent with the provisions of this chapter.

ARTICLE 5

OBSOLETE AND REDUNDANT STATUTES

Section 1. Minnesota Statutes 2014, section 182.6553, subdivision 1, is amended to read:

Subdivision 1. **Safe patient handling program required.** (a) ~~By July 1, 2008,~~ Every licensed health care facility in the state shall adopt a written safe patient handling policy establishing the facility's plan to achieve ~~by January 1, 2011,~~ the goal of minimizing manual lifting of patients by nurses and other direct patient care workers by utilizing safe patient handling equipment.

(b) The program shall address:

- (1) assessment of hazards with regard to patient handling;
- (2) the acquisition of an adequate supply of appropriate safe patient handling equipment;
- (3) initial and ongoing training of nurses and other direct patient care workers on the use of this equipment;
- (4) procedures to ensure that physical plant modifications and major construction projects are consistent with program goals; and
- (5) periodic evaluations of the safe patient handling program.

Sec. 2. Minnesota Statutes 2014, section 182.6553, subdivision 2, is amended to read:

Subd. 2. **Safe patient handling committee.** (a) ~~By July 1, 2008,~~ Every licensed health care facility in the state shall establish a safe patient handling committee either by creating a new committee or assigning the functions of a safe patient handling committee to an existing committee.

(b) Membership of a safe patient handling committee or an existing committee must meet the following requirements:

- (1) at least half the members shall be nonmanagerial nurses and other direct patient care workers; and
- (2) in a health care facility where nurses and other direct patient care workers are covered by a collective bargaining agreement, the union shall select the committee members proportionate to its representation of nonmanagerial workers, nurses, and other direct patient care workers.

(c) A health care organization with more than one covered health care facility may establish a committee at each facility or one committee to serve this function for all the facilities. If the organization chooses to have one overall committee for multiple facilities, at least half of the members of the overall committee must be nonmanagerial nurses and other direct patient care workers and each facility must be represented on the committee.

(d) Employees who serve on a safe patient handling committee must be compensated by their employer for all hours spent on committee business.

Sec. 3. Minnesota Statutes 2014, section 184.21, subdivision 4, is amended to read:

Subd. 4. **Applicant.** The term "applicant," ~~except when used to describe an applicant for an employment agency or counselor's license,~~ means any person, whether employed or unemployed, seeking or entering into any arrangement for employment or change of employment through the medium or service of an employment agency.

Sec. 4. Minnesota Statutes 2014, section 184.24, subdivision 1, is amended to read:

Subdivision 1. **Generally.** It is the duty of the department to administer the provisions of sections 184.21 to 184.40. The commissioner shall have power to compel the attendance of witnesses by the issuance of subpoenas, administer oaths, and to take testimony and proofs concerning all matters within its jurisdiction. The department ~~shall affix an official seal to all certificates or licenses granted,~~ and shall make all rules not inconsistent with law needed in performing its duties.

Sec. 5. Minnesota Statutes 2014, section 184.41, is amended to read:

184.41 VIOLATIONS.

Any person who engages in the business of or acts as an employment agent or counselor ~~without first procuring a license as required by section 184.22,~~ and any employment agent, manager, or counselor who violates the provisions of this chapter is guilty of a misdemeanor.

In addition to the penalties for commission of a misdemeanor, the department may bring an action for an injunction ~~against any person who engages in the business of or acts as an employment agent or counselor without first procuring the license required under section 184.22,~~ and against any employment agent, manager, or counselor who violates the applicable provisions of this chapter. ~~If an agency, manager, or counselor is found guilty of a misdemeanor in any action relevant to the operation of an agency, the department may suspend or revoke the license of the agency, manager, or counselor.~~

Sec. 6. Minnesota Statutes 2014, section 326B.092, subdivision 3, is amended to read:

Subd. 3. **Late fee.** The department must receive a complete application for license renewal ~~by the renewal deadline but not more than 90 days before the renewal deadline~~ prior to the license expiration date. If the department receives a renewal application after the expiration of the license, then the renewal application must be accompanied by a late fee equal to one-half of the license renewal fee; except that, for the purpose of calculating the late fee only, the license renewal fee shall not include any contractor recovery fund fee required by section 326B.89, subdivision 3.

Sec. 7. Minnesota Statutes 2014, section 326B.092, subdivision 7, is amended to read:

Subd. 7. **License fees and license renewal fees.** (a) The license fee for each license is the base license fee plus any applicable board fee, continuing education fee, and contractor recovery fund fee and additional assessment, as set forth in this subdivision.

(b) For purposes of this section, "license duration" means the number of years for which the license is issued except that:

(1) if the initial license is not issued for a whole number of years, the license duration shall be rounded up to the next whole number; ~~and,~~

(2) ~~if the department receives an application for license renewal after the renewal deadline,~~ license duration means the number of years for which the renewed license would have been issued

~~if the renewal application had been submitted on time and all other requirements for renewal had been met.~~

(c) The base license fee shall depend on whether the license is classified as an entry level, master, journeyman, or business license, and on the license duration. The base license fee shall be:

| License Classification | License Duration | | |
|------------------------|------------------|---------|---------|
| | 1 Year | 2 Years | 3 Years |
| Entry level | \$10 | \$20 | \$30 |
| Journeyman | \$20 | \$40 | \$60 |
| Master | \$40 | \$80 | \$120 |
| Business | \$90 | \$180 | \$270 |

(d) If there is a continuing education requirement for renewal of the license, then a continuing education fee must be included in the renewal license fee. The continuing education fee for all license classifications shall be: \$10 if the renewal license duration is one year; \$20 if the renewal license duration is two years; and \$30 if the renewal license duration is three years.

(e) If the license is issued under sections 326B.31 to 326B.59 or 326B.90 to 326B.93, then a board fee must be included in the license fee and the renewal license fee. The board fee for all license classifications shall be: \$4 if the license duration is one year; \$8 if the license duration is two years; and \$12 if the license duration is three years.

(f) If the application is for the renewal of a license issued under sections 326B.802 to 326B.885, then the contractor recovery fund fee required under section 326B.89, subdivision 3, and any additional assessment required under section 326B.89, subdivision 16, must be included in the license renewal fee.

Sec. 8. Minnesota Statutes 2014, section 326B.094, subdivision 3, is amended to read:

Subd. 3. **Deadline for avoiding license expiration.** The department must receive a complete application to renew a license no later than the ~~renewal deadline~~ license expiration date. If the department does not receive a complete application by the ~~renewal deadline~~ license expiration date, the license may expire before the department has either approved or denied the renewal application.

Sec. 9. Minnesota Statutes 2014, section 326B.106, subdivision 4, is amended to read:

Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged commuter transportation of employees to or from their place of employment or to or from a transit stop authorized by a local transit authority.

(b) **Smoke detection devices.** The code must require that all dwellings, lodging houses, apartment houses, and hotels as defined in section 299F.362 comply with the provisions of section 299F.362.

(c) **Doors in nursing homes and hospitals.** The State Building Code may not require that each door entering a sleeping or patient's room from a corridor in a nursing home or hospital with an approved complete standard automatic fire extinguishing system be constructed or maintained as self-closing or automatically closing.

(d) **Child care facilities in churches; ground level exit.** A licensed day care center serving fewer than 30 preschool age persons and which is located in a belowground space in a church building is exempt from the State Building Code requirement for a ground level exit when the center has more than two stairways to the ground level and its exit.

(e) **Family and group family day care.** Until the legislature enacts legislation specifying appropriate standards, the definition of dwellings constructed in accordance with the International Residential Code as adopted as part of the State Building Code applies to family and group family day care homes licensed by the Department of Human Services under Minnesota Rules, chapter 9502.

(f) **Enclosed stairways.** No provision of the code or any appendix chapter of the code may require stairways of existing multiple dwelling buildings of two stories or less to be enclosed.

(g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter of the code may prohibit double cylinder dead bolt locks in existing single-family homes, townhouses, and first floor duplexes used exclusively as a residential dwelling. Any recommendation or promotion of double cylinder dead bolt locks must include a warning about their potential fire danger and procedures to minimize the danger.

(h) **Relocated residential buildings.** A residential building relocated within or into a political subdivision of the state need not comply with the State Energy Code or section 326B.439 provided that, where available, an energy audit is conducted on the relocated building.

(i) **Automatic garage door opening systems.** The code must require all residential buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82 and 325F.83.

~~(j) **Exit sign illumination.** For a new building on which construction is begun on or after October 1, 1993, or an existing building on which remodeling affecting 50 percent or more of the enclosed space is begun on or after October 1, 1993, the code must prohibit the use of internally illuminated exit signs whose electrical consumption during nonemergency operation exceeds 20 watts of resistive power. All other requirements in the code for exit signs must be complied with.~~

~~(k) (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking surface and upper portions of exterior wood decks, patios, and balconies to be constructed of (1) heartwood from species of wood having natural resistance to decay or termites, including redwood and cedars, (2) grades of lumber which contain sapwood from species of wood having natural resistance to decay or termites, including redwood and cedars, or (3) treated wood. The species and grades of wood products used to construct the decking surface and upper portions of exterior decks, patios, and balconies must be made available to the building official on request before final construction approval.~~

~~(l) (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be imposed by municipalities under the State Building Code, except as required under section 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92 administered by the Department of Labor and Industry. All data regarding the material production processes,~~

including the bioprocess system's structural design and layout, are nonpublic data as provided by section 13.7911.

~~(m)~~ (l) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in geographic areas of the state where the code did not generally apply as of April 1, 2008, to the same extent that ungraded lumber could be used in that area before April 1, 2008.

~~(n)~~ (m) **Window cleaning safety.** The code must require the installation of dedicated anchorages for the purpose of suspended window cleaning on (1) new buildings four stories or greater; and (2) buildings four stories or greater, only on those areas undergoing reconstruction, alteration, or repair that includes the exposure of primary structural components of the roof.

The commissioner may waive all or a portion of the requirements of this paragraph related to reconstruction, alteration, or repair, if the installation of dedicated anchorages would not result in significant safety improvements due to limits on the size of the project, or other factors as determined by the commissioner.

Sec. 10. Minnesota Statutes 2014, section 326B.106, subdivision 7, is amended to read:

Subd. 7. **Window fall prevention device code.** The commissioner of labor and industry shall adopt rules for window fall prevention devices as part of the State Building Code. Window fall prevention devices include, but are not limited to, safety screens, hardware, guards, and other devices that comply with the standards established by the commissioner of labor and industry. The rules shall require compliance with standards for window fall prevention devices developed by ASTM International, contained in the International Building Code as the model language with amendments deemed necessary to coordinate with the other adopted building codes in Minnesota. The rules shall establish a scope that includes the applicable building occupancies, and the types, locations, and sizes of windows that will require the installation of fall devices. ~~The rules will be effective July 1, 2009. The commissioner shall report to the legislature on the status of the rulemaking on or before February 15, 2008.~~

Sec. 11. Minnesota Statutes 2014, section 326B.109, subdivision 2, is amended to read:

Subd. 2. **Application.** This section applies only to a place of public accommodation for which construction, or alterations exceeding 50 percent of the estimated replacement value of the existing facility, ~~begins after July 1, 1995 occurs.~~

Sec. 12. Minnesota Statutes 2014, section 326B.135, subdivision 4, is amended to read:

Subd. 4. **Effective date.** ~~Effective January 1, 2008;~~ All construction inspectors ~~hired on or after January 1, 2008;~~ shall, within one year of hire, be in compliance with the competency criteria established according to subdivision 1.

Sec. 13. Minnesota Statutes 2014, section 326B.139, is amended to read:

326B.139 APPEALS.

A person aggrieved by the final decision of any local or state level board of appeals as to the application of the code, including any rules adopted under ~~sections 471.465 to section 471.469,~~ may, within 180 days of the decision, appeal to the commissioner. Appellant shall submit a nonrefundable fee of \$70, payable to the commissioner, with the request for appeal. An appeal must be heard as a contested case under chapter 14. The commissioner shall submit written findings to the parties.

The party not prevailing shall pay the costs of the contested case hearing, including fees charged by the Office of Administrative Hearings and the expense of transcript preparation. Costs under this section do not include attorney fees. Any person aggrieved by a ruling of the commissioner may appeal in accordance with chapter 14. For the purpose of this section "any person aggrieved" includes the Council on Disability. No fee or costs shall be required when the council on disability is the appellant.

Sec. 14. Minnesota Statutes 2014, section 326B.194, is amended to read:

326B.194 INTERSTATE COMPACT ON INDUSTRIALIZED/MODULAR BUILDINGS.

The state of Minnesota ratifies and approves the ~~following compact:~~ Interstate Industrialized Buildings Commission's Interstate Compact as amended by Laws 1990, chapter 458, section 2; Laws 1995, chapter 254, article 4, section 1; and Laws 2007, chapter 140, article 4, section 61, and article 13, section 4, on industrialized/modular buildings and incorporates the compact by reference. The commissioner must make a copy of the compact available to the public.

INTERSTATE COMPACT ON INDUSTRIALIZED/MODULAR BUILDINGS
ARTICLE I
FINDINGS AND DECLARATIONS OF POLICY

(1) ~~The compacting states find that:~~

(a) ~~Industrialized/modular buildings are constructed in factories in the various states and are a growing segment of the nation's affordable housing and commercial building stock.~~

(b) ~~The regulation of industrialized/modular buildings varies from state to state and locality to locality, which creates confusion and burdens state and local building officials and the industrialized/modular building industry.~~

(c) ~~Regulation by multiple jurisdictions imposes additional costs, which are ultimately borne by the owners and users of industrialized/modular buildings, restricts market access and discourages the development and incorporation of new technologies.~~

(2) ~~It is the policy of each of the compacting states to:~~

(a) ~~Provide the states which regulate the design and construction of industrialized/modular buildings with a program to coordinate and uniformly adopt and administer the states' rules and regulations for such buildings, all in a manner to assure interstate reciprocity.~~

(b) ~~Provide to the United States Congress assurances that would preclude the need for a voluntary preemptive federal regulatory system for modular housing, as outlined in Section 572 of the Housing and Community Development Act of 1987, including development of model standards for modular housing construction, such that design and performance will insure quality, durability and safety; will be in accordance with life-cycle cost-effective energy conservation standards; all to promote the lowest total construction and operating costs over the life of such housing.~~

ARTICLE II
DEFINITIONS

~~As used in this compact, unless the context clearly requires otherwise:~~

(1) ~~"Commission" means the Interstate Industrialized/Modular Buildings Commission.~~

(2) "~~Industrialized/modular building~~" means any building which is of closed construction, i.e. constructed in such a manner that concealed parts or processes of manufacture cannot be inspected at the site, without disassembly, damage or destruction, and which is made or assembled in manufacturing facilities, off the building site, for installation, or assembly and installation, on the building site. "~~Industrialized/modular building~~" includes, but is not limited to, modular housing which is factory-built single-family and multifamily housing (including closed wall panelized housing) and other modular, nonresidential buildings. "~~Industrialized/modular building~~" does not include any structure subject to the requirements of the National Manufactured Home Construction and Safety Standards Act of 1974.

(3) "~~Interim reciprocal agreement~~" means a formal reciprocity agreement between a noncompacting state wherein the noncompacting state agrees that labels evidencing compliance with the model rules and regulations for industrialized/modular buildings, as authorized in Article VIII, section (9), shall be accepted by the state and its subdivisions to permit installation and use of industrialized/modular buildings. Further, the noncompacting state agrees that by legislation or regulation, and appropriate enforcement by uniform administrative procedures, the noncompacting state requires all industrialized/modular building manufacturers within that state to comply with the model rules and regulations for industrialized/modular buildings.

(4) "~~State~~" means a state of the United States, territory or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

(5) "~~Uniform administrative procedures~~" means the procedures adopted by the commission (after consideration of any recommendations from the rules development committee) which state and local officials, and other parties, in one state, will utilize to assure state and local officials, and other parties, in other states, of the substantial compliance of industrialized/modular building construction with the construction standard of requirements of such other states; to assess the adequacy of building systems; and to verify and assure the competency and performance of evaluation and inspection agencies.

(6) "~~Model rules and regulations for industrialized/modular buildings~~" means the construction standards adopted by the commission (after consideration of any recommendations from the rules development committee) which govern the design, manufacture, handling, storage, delivery and installation of industrialized/modular buildings and building components. The construction standards and any amendments thereof shall conform insofar as practicable to model building codes and referenced standards generally accepted and in use throughout the United States.

ARTICLE III CREATION OF COMMISSION

The compacting states hereby create the Interstate Industrialized/Modular Buildings Commission, hereinafter called commission. Said commission shall be a body corporate of each compacting state and an agency thereof. The commission shall have all the powers and duties set forth herein and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states.

ARTICLE IV SELECTION OF COMMISSIONERS

The commission shall be selected as follows. As each state becomes a compacting state, one resident shall be appointed as commissioner. The commissioner shall be selected by the

governor of the compacting state, being designated from the state agency charged with regulating industrialized/modular buildings or, if such state agency does not exist, being designated from among those building officials with the most appropriate responsibilities in the state. The commissioner may designate another official as an alternate to act on behalf of the commissioner at commission meetings which the commissioner is unable to attend.

Each state commissioner shall be appointed, suspended, or removed and shall serve subject to and in accordance with the laws of the state which said commissioner represents; and each vacancy occurring shall be filled in accordance with the laws of the state wherein the vacancy exists.

For every three state commissioners that have been appointed in the manner described, those state commissioners shall select one additional commissioner who shall be a representative of manufacturers of residential- or commercial-use industrialized/modular buildings. For every six state commissioners that have been appointed in the manner described, the state commissioners shall select one additional commissioner who shall be a representative of consumers of industrialized/modular buildings. In the event states withdraw from the compact or, for any other reason, the number of state commissioners is reduced, the state commissioners shall remove the last added representative commissioner as necessary to maintain the ratio of state commissioners to representative commissioners described herein.

Upon a majority vote of the state commissioners, the state commissioners may remove, fill a vacancy created by, or replace any representative commissioner, provided that any replacement is made from the same representative group and the ratio described herein is maintained. Unless provided otherwise, the representative commissioners have the same authority and responsibility as the state commissioners.

In addition, the commission may have as a member one commissioner representing the United States government if federal law authorizes such representation. Such commissioner shall not vote on matters before the commission. Such commissioner shall be appointed by the President of the United States, or in such other manner as may be provided by Congress.

ARTICLE V VOTING

Each commissioner (except the commissioner representing the United States government) shall be entitled to one vote on the commission. A majority of the commissioners shall constitute a quorum for the transaction of business. Any business transacted at any meeting of the commission must be by affirmative vote of a majority of the quorum present and voting.

ARTICLE VI ORGANIZATION AND MANAGEMENT

The commission shall elect annually, from among its members, a chairman, a vice chairman and a treasurer. The commission shall also select a secretariat, which shall provide an individual who shall serve as secretary of the commission. The commission shall fix and determine the duties and compensation of the secretariat. The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the commission.

The commission shall adopt a seal.

The commission shall adopt bylaws, rules, and regulations for the conduct of its business, and shall have the power to amend and rescind these bylaws, rules, and regulations.

The commission shall establish and maintain an office at the same location as the office maintained by the secretariat for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chairman may call additional meetings and upon the request of a majority of the commissioners of three or more of the compacting states shall call an additional meeting.

The commission annually shall make the governor and legislature of each compacting state a report covering its activities for the preceding year. Any donation or grant accepted by the commission or services borrowed shall be reported in the annual report of the commission and shall include the nature, amount and conditions, if any, of the donation, gift, grant or services borrowed and the identity of the donor or lender. The commission may make additional reports as it may deem desirable.

ARTICLE VH COMMITTEES

The commission will establish such committees as it deems necessary, including, but not limited to, the following:

(1) An executive committee which functions when the full commission is not meeting, as provided in the bylaws of the commission. The executive committee will ensure that proper procedures are followed in implementing the commission's programs and in carrying out the activities of the compact. The executive committee shall be elected by vote of the commission. It shall be comprised of at least three and no more than nine commissioners, selected from the state commissioners and one member of the industry commissioners and one member of the consumer commissioners.

(2) A rules development committee appointed by the commission. The committee shall be consensus-based and consist of not less than seven nor more than 21 members. Committee members will include state building regulatory officials; manufacturers of industrialized/modular buildings; private, third-party inspection agencies; and consumers. This committee may recommend procedures which state and local officials, and other parties, in one state, may utilize to assure state and local officials, and other parties, in other states, of the substantial compliance of industrialized/modular building construction with the construction standard requirements of such other states; to assess the adequacy of building systems; and to verify and assure the competency and performance of evaluation and inspection agencies. This committee may also recommend construction standards for the design, manufacture, handling, storage, delivery and installation of industrialized/modular buildings and building components. The committee will submit its recommendations to the commission, for the commission's consideration in adopting and amending the uniform administrative procedures and the model rules and regulations for industrialized/modular buildings. The committee may also review the regulatory programs of the compacting states to determine whether those programs are consistent with the uniform administrative procedures or the model rules and regulations for industrialized/modular buildings and may make recommendations concerning the states' programs to the commission. In carrying out its functions, the rules committee may conduct public hearings and otherwise solicit public input and comment.

~~(3) Any other advisory, coordinating or technical committees, membership on which may include private persons, public officials, associations or organizations. Such committees may consider any matter of concern to the commission.~~

~~(4) Such additional committees as the commission's bylaws may provide.~~

ARTICLE VIII POWER AND AUTHORITY

In addition to the powers conferred elsewhere in this compact, the commission shall have power to:

~~(1) Collect, analyze and disseminate information relating to industrialized/modular buildings.~~

~~(2) Undertake studies of existing laws, codes, rules and regulations, and administrative practices of the states relating to industrialized/modular buildings.~~

~~(3) Assist and support committees and organizations which promulgate, maintain and update model codes or recommendations for uniform administrative procedures or model rules and regulations for industrialized/modular buildings.~~

~~(4) Adopt and amend uniform administrative procedures and model rules and regulations for industrialized/modular buildings.~~

~~(5) Make recommendations to compacting states for the purpose of bringing such states' laws, codes, rules and regulations and administrative practices into conformance with the uniform administrative procedures or the model rules and regulations for industrialized/modular buildings, provided that such recommendations shall be made to the appropriate state agency with due consideration for the desirability of uniformity while also giving appropriate consideration to special circumstances which may justify variations necessary to meet unique local conditions.~~

~~(6) Assist and support the compacting states with monitoring of plan review programs and inspection programs, which will assure that the compacting states have the benefit of uniform industrialized/modular building plan review and inspection programs.~~

~~(7) Assist and support organizations which train state and local government and other program personnel in the use of uniform industrialized/modular building plan review and inspection programs.~~

~~(8) Encourage and promote coordination of state regulatory action relating to manufacturers, public or private inspection programs.~~

~~(9) Create and sell labels to be affixed to industrialized/modular building units, constructed in or regulated by compacting states, where such labels will evidence compliance with the model rules and regulations for industrialized/modular buildings, enforced in accordance with the uniform administrative procedures. The commission may use receipts from the sale of labels to help defray the operating expenses of the commission.~~

~~(10) Assist and support compacting states' investigations into and resolutions of consumer complaints which relate to industrialized/modular buildings constructed in one compacting state and sited in another compacting state.~~

(11) Borrow, accept or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, association, person, firm or corporation.

(12) Accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services (conditional or otherwise) from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm or corporation, and may receive, utilize and dispose of the same.

(13) Establish and maintain such facilities as may be necessary for the transacting of its business. The commission may acquire, hold, and convey real and personal property and any interest therein.

(14) Enter into contracts and agreements, including but not limited to, interim reciprocal agreements with noncompacting states.

ARTICLE IX FINANCE

The commission shall submit to the governor or designated officer or officers of each compacting state a budget of its estimated expenditures for such period as may be required by the laws of that state for presentation to the legislature thereof.

Each of the commission's budgets of estimated expenditures shall contain specific recommendations of the amounts to be appropriated by each of the compacting states. The total amount of appropriations requested under any such budget shall be apportioned among the compacting states as follows: one-half in equal shares; one-fourth among the compacting states in accordance with the ratio of their populations to the total population of the compacting states, based on the last decennial federal census; and one-fourth among the compacting states in accordance with the ratio of industrialized/modular building units manufactured in each state to the total of all units manufactured in all of the compacting states.

The commission shall not pledge the credit of any compacting state. The commission may meet any of its obligations in whole or in part with funds available to it by donations, grants, or sale of labels: provided that the commission takes specific action setting aside such funds prior to incurring any obligation to be met in whole or in part in such manner. Except where the commission makes use of funds available to it by donations, grants or sale of labels, the commission shall not incur any obligation prior to the allotment of funds by the compacting states adequate to meet the same.

The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the commission.

The accounts of the commission shall be open at any reasonable time for inspection by duly constituted officers of the compacting states and any person authorized by the commission.

Nothing contained in this article shall be construed to prevent commission compliance relating to audit or inspection of accounts by or on behalf of any government contributing to the support of the commission.

~~ARTICLE X
ENTRY INTO FORCE AND WITHDRAWAL~~

~~This compact shall enter into force when enacted into law by any three states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof. The commission shall arrange for notification of all compacting states whenever there is a new enactment of the compact.~~

~~Any compacting state may withdraw from this compact by enacting a statute repealing the same. No withdrawal shall affect any liability already incurred by or chargeable to a compacting state prior to the time of such withdrawal.~~

~~ARTICLE XI
RECIPROCITY~~

~~If the commission determines that the standards for industrialized/modular buildings prescribed by statute, rule or regulation of compacting state are at least equal to the commission's model rules and regulations for industrialized/modular buildings, and that such state standards are enforced by the compacting state in accordance with the uniform administrative procedures, industrialized/modular buildings approved by such a compacting state shall be deemed to have been approved by all the compacting states for placement in those states in accordance with procedures prescribed by the commission.~~

~~ARTICLE XII
EFFECT ON OTHER LAWS AND JURISDICTION~~

~~Nothing in this compact shall be construed to:~~

~~(1) Withdraw or limit the jurisdiction of any state or local court or administrative officer or body with respect to any person, corporation or other entity or subject matter, except to the extent that such jurisdiction pursuant to this compact, is expressly conferred upon another agency or body.~~

~~(2) Supersede or limit the jurisdiction of any court of the United States.~~

~~ARTICLE XIII
CONSTRUCTION AND SEVERABILITY~~

~~This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstances is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.~~

Sec. 15. REVISOR'S INSTRUCTION.

The revisor of statutes shall remove Minnesota Rules, part 5200.0370, item C, subitem (1), from Minnesota Rules.

Sec. 16. REPEALER.

Subdivision 1. **Labor standards.** Minnesota Statutes 2014, sections 181.12; and 181.9435, subdivision 2, are repealed.

Subd. 2. **Fee employment agencies.** (a) Minnesota Statutes 2014, sections 184.22, subdivision 1; 184.25; 184.26; 184.27; 184.28; 184.29; 184.30, subdivision 1; 184.32; 184.33; 184.34; 184.35; 184.36; 184.38, subdivisions 2, 16, and 17; and 184.40, are repealed.

(b) Minnesota Rules, parts 5200.0510; 5200.0520; 5200.0530; 5200.0540; 5200.0550; 5200.0560; 5200.0570; 5200.0750; and 5200.0760, are repealed.

Subd. 3. **Construction codes and licensing.** Minnesota Statutes 2014, sections 326B.091, subdivision 6; 326B.106, subdivision 10; 326B.169; and 326B.181, are repealed.

Subd. 4. **Municipal rights, powers, duties.** Minnesota Statutes 2014, sections 471.465; 471.466; 471.467; and 471.468, are repealed.

Subd. 5. **State procurement.** Minnesota Statutes 2014, section 16C.0745, is repealed.

ARTICLE 6

CONFORMING CHANGES

Section 1. Minnesota Statutes 2014, section 177.27, subdivision 4, is amended to read:

Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032, 181.101, 181.11, ~~181.12~~, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275, subdivision 2a, 181.722, 181.79, and 181.939 to 181.943, or with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435 and the order is final or the commissioner and the employer have entered into a settlement agreement that required the employer to pay back wages that were required by sections 177.41 to 177.435. The department shall serve the order upon the employer or the employer's authorized representative in person or by certified mail at the employer's place of business. An employer who wishes to contest the order must file written notice of objection to the order with the commissioner within 15 calendar days after being served with the order. A contested case proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer fails to file a written notice of objection with the commissioner, the order becomes a final order of the commissioner.

Sec. 2. Minnesota Statutes 2014, section 181.171, subdivision 1, is amended to read:

Subdivision 1. **Civil action; damages.** A person may bring a civil action seeking redress for violations of sections 181.02, 181.03, 181.031, 181.032, 181.08, 181.09, 181.10, 181.101, 181.11, ~~181.12~~, 181.13, 181.14, 181.145, and 181.15 directly to district court. An employer who is found to have violated the above sections is liable to the aggrieved party for the civil penalties or damages provided for in the section violated. An employer who is found to have violated the above sections shall also be liable for compensatory damages and other appropriate relief including but not limited to injunctive relief.

Sec. 3. **REPEALER.**

Minnesota Statutes 2014, section 609B.137, is repealed."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "making housekeeping changes related to the Office of Combative Sports and apprenticeship program; clarifying safe patient handling requirements;"

Amend the title numbers accordingly

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1767: A bill for an act relating to labor and industry; occupational safety and health administration; repealing a requirement relating to platform manlifts; repealing Minnesota Rules, part 5205.0580, subpart 21.

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1764: A bill for an act relating to agriculture; establishing a butcher training pilot program.

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1267: A bill for an act relating to State Building Code; authorizing border cities to adopt changes to the code; amending Minnesota Statutes 2014, section 326B.121, subdivision 2.

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 1271: A bill for an act relating to agriculture; requiring a livestock industry study.

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

Page 1, line 7, after the period, insert "The commissioner shall include the most recent ten years of data on the number of livestock farms for each of the states that are compared."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1194, 1535, 1215, 135, 1181, 1638, 887, 1794, 1822, 1371, 1767 and 1267 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 794 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Jensen introduced—

S.F. No. 1883: A bill for an act relating to education finance; establishing grant programs for career and technical education needs; appropriating money.

Referred to the Committee on Finance.

Senator Brown introduced—

S.F. No. 1884: A bill for an act relating to transportation; modifying eligibility for road authority snow removal; amending Minnesota Statutes 2014, section 160.21, subdivision 6.

Referred to the Committee on Transportation and Public Safety.

Senator Thompson introduced—

S.F. No. 1885: A bill for an act relating to civil actions; providing a factor for determining the amount of attorney fees awarded in certain actions; proposing coding for new law in Minnesota Statutes, chapter 549.

Referred to the Committee on Judiciary.

Senator Thompson introduced—

S.F. No. 1886: A bill for an act relating to civil actions; reducing the limitation period for bringing certain actions; amending Minnesota Statutes 2014, section 541.05, subdivision 1.

Referred to the Committee on Judiciary.

Senators Marty, Dahle and Eken introduced—

S.F. No. 1887: A bill for an act relating to commerce; establishing a State Bank of Minnesota; authorizing beginning farmer loans; appropriating money; amending Minnesota Statutes 2014, section 16A.27, subdivisions 1, 3, 5; proposing coding for new law as Minnesota Statutes, chapter 48B; repealing Minnesota Statutes 2014, section 16A.27, subdivision 4.

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

Senator Gazelka introduced—

S.F. No. 1888: A bill for an act relating to redistricting; establishing districting principles for legislative and congressional plans; proposing coding for new law in Minnesota Statutes, chapter 2.

Referred to the Committee on Rules and Administration.

Senators Hawj and Eken introduced—

S.F. No. 1889: A bill for an act relating to human services; establishing a grant program to provide in-home and community services for older adults with vision loss; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256C.

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

Senator Dahle introduced—

S.F. No. 1890: A bill for an act relating to education; establishing the excellence in teaching program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education.

Senators Dziejdzic and Champion introduced—

S.F. No. 1891: A bill for an act relating to crime; adding traffic control agents and Minneapolis park patrol agents to the list of public employees protected by statute; amending Minnesota Statutes 2014, section 609.2231, subdivision 6.

Referred to the Committee on Judiciary.

Senators Eaton, Koenen, Sparks and Dziejdzic introduced—

S.F. No. 1892: A bill for an act relating to taxation; sales and use and excise; repealing June accelerated payments; amending Minnesota Statutes 2014, sections 289A.18, subdivision 4; 289A.20, subdivision 4; 289A.60, subdivision 21; 297F.09, subdivisions 1, 2; 297F.25, subdivision 2; repealing Minnesota Statutes 2014, sections 289A.60, subdivision 15; 297F.09, subdivision 10; 297G.09, subdivision 9.

Referred to the Committee on Taxes.

Senators Ingebrigtsen, Saxhaug, Tomassoni and Marty introduced—

S.F. No. 1893: A bill for an act relating to environment; appropriating money for remediating land contamination.

Referred to the Committee on Finance.

Senators Senjem, Tomassoni and Bakk introduced—

S.F. No. 1894: A bill for an act relating to taxation; tobacco; modifying the definition of premium cigar; reducing the maximum tax on premium cigars; amending Minnesota Statutes 2014, sections 297F.01, subdivision 13a; 297F.05, subdivisions 3a, 4a.

Referred to the Committee on Taxes.

Senators Hayden and Pederson, J. introduced—

S.F. No. 1895: A bill for an act relating to human services; establishing the Minnesota Commission on Fatherhood; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 245.

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

Senators Hayden and Pederson, J. introduced—

S.F. No. 1896: A bill for an act relating to human services; establishing the Minnesota Fatherhood Task Force; creating duties; providing for membership and staff; requiring a report.

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

Senators Eaton, Hoffman and Hayden introduced—

S.F. No. 1897: A bill for an act relating to human services; modifying medical assistance coverage for chiropractic services; amending Minnesota Statutes 2014, section 256B.0625, subdivision 8e.

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

Senators Dahle and Pederson, J. introduced—

S.F. No. 1898: A bill for an act relating to contracts; regulating building and construction contracts; providing for certain progress payments and retainages; amending Minnesota Statutes 2014, section 337.10, subdivisions 4, 5.

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

Senator Hoffman introduced—

S.F. No. 1899: A bill for an act relating to human services; modifying nursing facility operating payment rates for certain facilities; amending Minnesota Statutes 2014, section 256B.431, by adding a subdivision.

Referred to the Committee on Finance.

Senators Sieben, Saxhaug, Cohen, Miller and Ingebrigtsen introduced—

S.F. No. 1900: A bill for an act relating to arts and cultural heritage; appropriating money for grants to public television.

Referred to the Committee on Finance.

Senator Sparks introduced—

S.F. No. 1901: A bill for an act relating to liquor; allowing farm wineries to increase cider production; amending Minnesota Statutes 2014, section 340A.315, by adding a subdivision.

Referred to the Committee on Commerce.

Senators Schmit, Jensen, Torres Ray, Dahms and Saxhaug introduced—

S.F. No. 1902: A bill for an act relating to economic development; creating a pilot program for community design in greater Minnesota; appropriating money.

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

Senator Sheran introduced—

S.F. No. 1903: A bill for an act relating to civil commitment; requiring a level-of-care assessment for patients being admitted from jail or a correctional institution; amending Minnesota Statutes 2014, section 253B.10, subdivision 1.

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

Senator Dibble, by request, introduced—

S.F. No. 1904: A bill for an act relating to transportation; requiring the Department of Transportation to implement certain efficiencies; appropriating money to construct, maintain, and rehabilitate highways, roads, and bridges.

Referred to the Committee on Finance.

Senators Wiger, Anderson and Thompson introduced—

S.F. No. 1905: A bill for an act relating to education; modifying certain charter school provisions; amending Minnesota Statutes 2014, section 124D.10, subdivisions 3, 4, 6, 6a, 8, 9, 23, by adding a subdivision.

Referred to the Committee on Education.

Senator Dahms introduced—

S.F. No. 1906: A bill for an act relating to transportation; modifying particular use access to certain roadways; amending Minnesota Statutes 2014, section 160.18, subdivision 3.

Referred to the Committee on Transportation and Public Safety.

Senators Dahms, Bonoff, Nienow, Pratt and Weber introduced—

S.F. No. 1907: A bill for an act relating to education; modifying certain school reporting requirements; requiring a report; amending Minnesota Statutes 2014, sections 120B.11, subdivision 5; 127A.05, by adding a subdivision; repealing Minnesota Statutes 2014, section 122A.60, subdivision 4.

Referred to the Committee on Education.

Senator Weber introduced—

S.F. No. 1908: A bill for an act relating to agriculture; appropriating money for the Board of Animal Health.

Referred to the Committee on Finance.

Senators Weber, Rosen and Dahms introduced—

S.F. No. 1909: A bill for an act relating to housing finance; appropriating money to the Housing Finance Agency for housing projects near training centers for high-growth job areas.

Referred to the Committee on Finance.

Senator Wiger introduced—

S.F. No. 1910: A bill for an act relating to waters; appropriating money for water supply sustainability study.

Referred to the Committee on Environment and Energy.

Senators Schmit and Koenen introduced—

S.F. No. 1911: A bill for an act relating to economic development; appropriating money for the Minnesota marketing partnership; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Finance.

Senators Sparks, Koenen, Weber and Dahms introduced—

S.F. No. 1912: A bill for an act relating to agriculture; appropriating money to the commissioner of agriculture for grants to retail petroleum dispensers.

Referred to the Committee on Finance.

Senators Miller, Nelson and Senjem introduced—

S.F. No. 1913: A bill for an act relating to capital investment; appropriating money for the Chatfield Center for the Arts; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Miller introduced—

S.F. No. 1914: A bill for an act relating to capital investment; appropriating money for a veterans home in Fillmore County; allowing for nonstate contributions; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Miller introduced—

S.F. No. 1915: A bill for an act relating to retirement; providing the Green Lea Manor and its employees are covered by Minnesota Statutes, chapter 353F; proposing coding for new law in Minnesota Statutes, chapter 353F.

Referred to the Committee on State and Local Government.

Senators Skoe and Rest introduced—

S.F. No. 1916: A bill for an act relating to taxation; property; requiring counties to enter into joint operating agreements with towns or townships in certain circumstances; amending Minnesota Statutes 2014, section 273.072, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Champion, Tomassoni, Hawj, Hayden and Bonoff introduced—

S.F. No. 1917: A bill for an act relating to workforce development; appropriating money for a grant to the Emerging Workforce Coalition.

Referred to the Committee on Finance.

Senators Nienow and Hall introduced—

S.F. No. 1918: A bill for an act relating to education finance; creating numeracy incentive aid for eighth grade students; amending Minnesota Statutes 2014, section 124D.98.

Referred to the Committee on Finance.

Senators Dzedzic, Bakk, Gazelka, Metzen and Hann introduced—

S.F. No. 1919: A bill for an act relating to liquor; allowing growlers to be sold at off-sale on Sundays; requiring a report to the commissioner of revenue; amending Minnesota Statutes 2014, section 340A.301, subdivisions 6d, 7.

Referred to the Committee on Commerce.

Senator Pederson, J. introduced—

S.F. No. 1920: A bill for an act relating to human services; modifying requirements for recipient access to documentation of personal care assistance services or support services provided; amending Minnesota Statutes 2014, sections 256B.0659, subdivisions 12, 19; 256B.85, subdivision 15.

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

Senator Pederson, J. introduced—

S.F. No. 1921: A bill for an act relating to motor vehicles; restricting driveway in-transit license to Minnesota applicants; allowing plate to be used outside Minnesota; amending Minnesota Statutes 2014, section 168.053, subdivision 1.

Referred to the Committee on Transportation and Public Safety.

Senators Anderson, Ruud, Kiffmeyer, Weber and Dahms introduced—

S.F. No. 1922: A bill for an act relating to taxation; sales and use tax; providing an exemption for an annual city celebration; amending Minnesota Statutes 2014, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Limmer and Dibble introduced—

S.F. No. 1923: A bill for an act relating to the legislature; requiring the Legislative Coordinating Commission to provide support to the Legislative Commission on Data Practices; appropriating money; amending Minnesota Statutes 2014, section 3.8843, subdivision 5.

Referred to the Committee on Finance.

Senators Schmit and Ingebrigtsen introduced—

S.F. No. 1924: A bill for an act relating to water; appropriating money for a water technology cluster development.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Dibble moved that the name of Senator Reinert be added as a co-author to S.F. No. 87. The motion prevailed.

Senator Saxhaug moved that the name of Senator Nelson be added as a co-author to S.F. No. 1121. The motion prevailed.

Senator Hoffman moved that the name of Senator Johnson be added as a co-author to S.F. No. 1325. The motion prevailed.

Senator Hayden moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1599. The motion prevailed.

Senator Benson moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 1606. The motion prevailed.

Senator Saxhaug moved that the name of Senator Westrom be added as a co-author to S.F. No. 1655. The motion prevailed.

Senator Scalze moved that her name be stricken as a co-author to S.F. No. 1732. The motion prevailed.

Senator Brown moved that S.F. No. 1543 be withdrawn from the Committee on Education, given a second reading, and placed on General Orders.

CALL OF THE SENATE

Senator Brown imposed a call of the Senate for the balance of the proceedings on S.F. No. 1543. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Brown motion.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

MOTIONS AND RESOLUTION - CONTINUED

Senator Tomassoni moved that S.F. No. 1174 be withdrawn from the Committee on Capital Investment and re-referred to the Committee on Finance. The motion prevailed.

Senator Clausen moved that S.F. No. 1429 be withdrawn from the Committee on State and Local Government and re-referred to the Committee on Higher Education and Workforce Development. The motion prevailed.

Senator Bonoff moved that S.F. No. 1541 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Kent moved that S.F. No. 1804 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Nelson introduced –

Senate Resolution No. 117: A Senate resolution congratulating Grace Boyum of Rochester for receiving the American Heritage Girls Stars and Stripes Award.

Referred to the Committee on Rules and Administration.

Senator Franzen introduced –

Senate Resolution No. 118: A Senate resolution honoring Prudential Spirit of Community Award Distinguished Finalist Kelly Reger.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Eaton and Miller were excused from the Session of today.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, March 23, 2015.
The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

